



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Second day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.10100 of 2017

NAGAMANI

... PETITIONER/2ND ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VANGAL POLICE STATION,
KARUR DISTRICT
CRIME NO.37 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

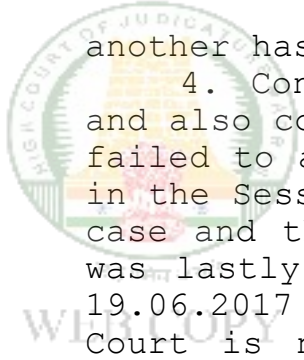
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 19.06.2017, for the offences punishable under Sections 397 and 511 of IPC., in Crime No.37 of 2015, on execution of Non-Bailable Warrant issued against him in S.C.No.22 of 2016, on the file of the learned Principal Assistant Sessions Judge, Karur, on the file of the respondent Police, seeks bail.

2. The learned counsel appearing for the petitioner states that on 03.06.2016 alone the petitioner was not able to appear before the trial Court, due to sick of his father and he was taking care of him and in the meantime, the petitioner's father breathed his last. The petitioner is in custody for more than 45 days.

3. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally 3 accused in the case in S.C.No.22 of 2016, pending on the file of the learned Principal Assistant Sessions Judge, Karur. Initially, all the accused appeared before the concerned Court and thereafter, one after another they failed to appear before the Court and therefore, NBW was issued against all the accused in this case and NBW issued as against A1 and A2 are still pending, since they are absconding. He would further submit that the petitioner herein was absent on 03.06.2016 and NBW was issued and the same was also executed and he was remanded to judicial custody on 19.06.2017. There is no progress in the Sessions Case, since the accused accused one after



another has failed to appear before the Sessions Court.

4. Considering the above facts and circumstances of the case and also considering the fact that the accused one after another has failed to appear before the Sessions Court and there is no progress in the Sessions Court case and the absconding of the accused in this case and the petitioner was also absconding from 13.03.2016 and he was lastly arrested under NBW and remanded to judicial custody on 19.06.2017 and also the conduct of the petitioner herein, this Court is not inclined to grant bail to the petitioner, at this stage. Hence, this Criminal Original Petition stands dismissed.

sd/-

02/08/2017

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE PRINCIPAL ASSISTANT SESSIONS JUDGE, KARUR.
- 2 THE INSPECTOR OF POLICE
VANGAL POLICE STATION, KARUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE OFFICER-IN-CHARGE, DISTRICT JAIL, KARUR.

CSL/PM-PN/SAR-I/08.08.2017 : 2P/5C

ORDER

IN

CRL OP(MD) No.10100 of 2017

Date :02/08/2017