



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

Monday, the Twenty Eighth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.11255 of 2017

ALAGUPANDI

... PETITIONER/ACCUSED NO.4

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO. 175/2010

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.SENTHIL KUMAR Advocate

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

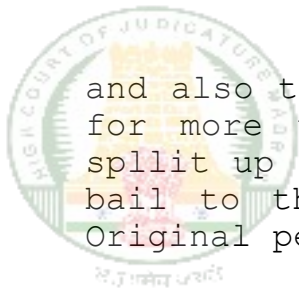
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested 02.08.2017 for the offence punishable under Section 147, 148, 341, 294(b), 326, 324 and 307 IPC in Crime No.175 of 2010 in S.C.No.68 of 2011 on the file of the Chief Judicial Magistrate cum Assistant Sessions Court, Sivagagai, seeks anticipatory bail.

2.The learned counsel for the petitioner submitted that the petitioner went to other district for daily work and also he was suffering from serious luness and hence, he was not aware of the issuance of non bailable warrant and the petitioner has been falsely implicated in this case.

3.The learned Additional Public Prosecutor appearing for the respondent Police submitted that totally there are 4 accused and the petitioner is arrayed as A4 in S.C.No.68 of 2011 on the file of the Chief Judicial Magistrate cum Assistant Sessions Court, Sivagangai. Since the petitioner failed to appear before the Court on 05.12.2013 non bailable warrant was issued against him, A2 was reported dead and A1 & A3 have appeared before the Court and they are convicted by the court below and due to the pendency of NBW against the petitioner, the said case is pending for a long period. He also submitted that copies were served upon the petitioner already and the petitioner was absconding for more than 3½ years. He submitted that there are 8 previous cases pending against the petitioner including 302 IPC and hence, if the petitioner is released on bail, definitely he may abscond.



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4.Considering the facts and circumstances of the case and also taking note of the fact that the petitioner was absconding for more than 3½ years and the case against the petitioner was spllit up in S.C.No.61 of 2016, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original petition is dismissed.

sd/-
28/08/2017

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

TO

- 1 THE INSPECTOR OF POLICE
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE OFFICER INCHARGE, SUB JAIL, SIVAGANGAI.

+1. CC to M/S.GK.LAW FIRM Advocate SR.No.29511

ORDER
IN
CRL OP(MD) No.11255 of 2017
Date :28/08/2017

PK/RR-BS/SAR-1/07.09.2017 : 2P/5C