



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

Thursday, the Twenty First day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12455 of 2017

S.BALAMURUGAN

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.03/2012

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.AYYANAR Advocate

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

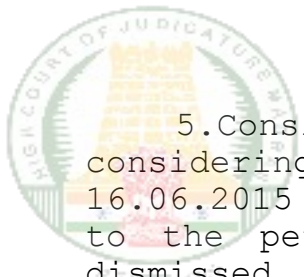
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / A6, who was arrested on 12.07.2017 on the basis of Non Bailable Warrant issued by the learned IInd Additional Sessions Judge, Thanjavur for the offences punishable under Section 302 of IPC in S.C.No.136 of 2015, seeks bail.

2.The learned counsel for the petitioner would submit that the petitioner was not well and that is why he could not able to appear before the lower Court and it is not wantonly.

4.The learned Additional Public Prosecutor would submit on instructions that totally there are 4 accused in S.C.No.136 of 2015 pending on the file of the IInd Additional Sessions Judge, Thanjavur and NBW was issued against petitioner for his absence on 16.06.2015 and executed on 12.07.2017 and now he is in custody. He further submitted that the petitioner and other accused were absent and NBW was issued and the earlier occasion also the petitioner was absent on 07.04.2015 and warrant was issued and thereafter, NBW was recalled by the petitioner. Second time the petitioner was absent on 16.06.2015, therefore, the warrant was executed on 12.07.2017 and there is no progress in the trial of the case, since he was absconding for more than 2 years.



5. Considering the facts and circumstances of the case and considering the fact that the petitioner was absconding from 16.06.2015 to 12.07.2017, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this petition is dismissed.

WEB COPY

sd/-
21/09/2017

/ TRUE COPY /

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

TO

- 1 THE II ADDITIONAL SESSIONS JUDGE, THANJAVUR
- 2 THE INSPECTOR OF POLICE,
THIRUVAIYARU POLICE STATION,
THANJAVUR DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.R.AYYANAR Advocate SR.No.80642

ORDER
IN
CRL OP(MD) No.12455 of 2017
Date :21/09/2017

PK/PM-PN/SAR-2/05.10.2017 : 2P/6C