

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.No.11103 of 2018

Pazhani @ Bend Pazhani

...Petitioner

vs.

The State Rep.by its
Inspector of Police,
Pallikaranai Police Station,
Chennai District.

...Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. seeking to direct the Judicial Magistrate at Alandur not to insist upon the petitioner to furnish any blood sureties on the bail order in Crl.M.P.No.3306 of 2017 on the file of Principal District & Sessions Judge at Chengalpattu, dated 04.10.2017 in Crime No.141 of 2012 on the file of the respondent police on his executing a bond for Rs.10,000/-with two sureties each before him.

For Petitioner : Mr.M.Ravikumar

For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

On 18.04.2018, this Court passed the following order :

"The Registry is directed to address a communication to the Principal Sessions Judge of Kancheepuram District at Chengalpattu to report this Court about the stage of the case in Pallikaranai Police Station Crime No.141 of 2012. The report shall also disclose details as to how long the petitioner was absconding during the committal proceedings and whether the committal proceedings have been completed or not. If the committal proceedings are completed, the Sessions Case number and the Court in which the case is pending may also be furnished in the report.

Post the matter on 25.04.2018."

2. Pursuant to the order of this Court, the Principal Sessions Judge, Kancheepuram District at Chengalpattu has sent a report dated 27.04.2018, wherein it is stated as follows:

"I am submitting the detailed report with regard to said case as follows:

I submit that the case in Crime No.141 of 2012 by Pallikaranai Police Station was registered against (A1) Pazhani @ Bendu Pazhani, Son of Perumal, (A2) J.Tamzhiharasan @ Daniel, Son of Jayavel, (A3) G.Manikandan, Son of Govindharaj, for the offence under Section 302 IPC. On 27.01.2012 the Pazhani (A1) voluntarily surrendered himself before the 9th Metropolitan Magistrate in another case. Since the Police noticed that the accused was on remand in another case obtained PT warrant from Judicial Magistrate, Alandur and secured the accused through PT warrant and produced the A1 before Judicial Magistrate, Alandur. The said accused A1 was remanded to judicial custody on 02.02.2012. Thereafter, he was enlarged on bail by the Judicial Magistrate, Alandur as per Order dated 09.05.2012 in CrI.M.P.3373 of 2012 under Section 167(2) Cr.P.C and A1 was released on 04.07.2012.

I further submit that the Judicial Magistrate, Alandur took the case on file as PRC 39 of 2012 on 29.06.2012 as against the said three accused. Issued summons to the said three accused for their appearance on 24.08.2012. All the three accused evaded to appear nearly for five years. Finally, A2 and A3 were appeared on 28.02.2017. A1 was produced under PT warrant on 27.07.2017.

I further submit that the said case was committed to the Principal Sessions Judge, Chengalpattu by committal Order dated 27.07.2017. The said three accused were directed through warrant to appear before the Principal Sessions Judge on 11.08.2017. The said committal order received in Principal District Court on 07.08.2017. The said case was taken on file in Principal District Court, Chengalpattu and assigned as S.C.No.194 of 2017. On 11.08.2017 the said accused were produced on warrant before Principal District Court, Chengalpattu. Later, A2, A3 were let out on bail.

I further submit that Pazhani (A1) filed bail application before Principal District Court on 22.09.2017 in CrI.M.P.No.3306 of 2017. The said bail was allowed on 04.10.2017. The copy of the Order

communicated to the committal Court, jail authorities and Pallikaranai Police under Dis.No.5554 Dated 04.10.2017.

I further submit that during the hearing dates A1 being produced under warrant and A2, A3 appearing.

Now the case in SC 194 of 2017 stands posted on 10.07.2018 for fixing the trial date."

3. The learned counsel for the petitioner seeks permission of this Court to withdraw this petition.

4. In view of the endorsement made by the learned counsel for the petitioner, this petition is dismissed as withdrawn.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Pallikaranai Police Station,
Chennai District.

2.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.11103 of 2018

CP(CO)
TR(13/06/2018)

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