



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2018

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CRL.A. (MD) No.534 of 2018

WEB COPY

Selvam

: Appellant

Vs.

1.The Deputy Superintendent of Police,
Cheranmahadevi, Tirunelveli District.

2.The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
Crime No.262 of 2014.

3.Sakthivel : Respondents

PRAYER : Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C, to call for the records in respect of Cr.M.P.No.2492 of 2018 on the file of the II Additional District and Sessions Judge, Tirunelveli, and set aside the order dated 21.08.2018 and release the appellant accused No.2 on bail in Crime No.262 of 2014 and allow the appeal.

For Appellant : No Appearance
For R1 and R2 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)

ORDER

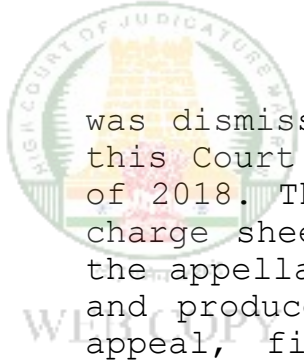
This appeal has been filed to set aside the order dated 21.08.2018 made in Cr.M.P.No.2492 of 2018 on the file of the II Additional District and Sessions Judge, Tirunelveli and release the appellant /accused No.2 on bail in Crime No.262 of 2014 and allow the appeal.

2.None appeared on behalf of the appellant.

3.Reading of the order passed by the trial Court, it is seen that the respondent police have registered the case in Crime No.262 of 2014 against the appellant for the offence punishable under Sections 307 and 302 r/w 34 IPC r/w Section 3(2) (V) of SC/ST (POA) Act 1980 r/w 120(B) IPC @ 307, 302 IPC r/w 34 IPC and Section 3 (1) (r) (s), 3 (2) (Va) of SC/ST(POA) Amendment Ordinance 2014.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The application for granting bail before the Sessions Judge



was dismissed. Subsequently, the appellant filed the appeals before this Court in previous occasions in Criminal Appeal Nos.273 and 190 of 2018. This Court had also dismissed those appeals. Subsequently, charge sheet was also filed and thereafter, NBW was issued against the appellant. The said NBW was executed, the appellant was arrested and produced before the Court. The appellant before filing this appeal, filed a petition in Cr.M.P.No.2492 of 2018, before the learned II Additional District and Sessions Judge, Tirunelveli (FAC), for considering his bail. The same was also dismissed. Now once again the appellant has filed this appeal.

5.On a perusal of the entire records and considering the behavior of the appellant, three times the applications for bail were dismissed. Thereafter, he absconded and NBW was issued.

6.Considering the fact and circumstances of the case, if he is released on bail once again, it is possibility of him to abscond and the same will lead to protract the further proceedings of the case.

7.Under the said circumstances, this Court finds that no merits in this appeal to take a different view, and this Court is not inclined to allow this appeal. Accordingly, this Criminal Appeal is dismissed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The II Additional District and Sessions Judge,
Tirunelveli.

2.The Superintendent, Central Prison
Playamakottai.

3.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.

Copy to

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.2copies

DAS

DS SV SAR4 26 12 2018 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>

CRL.A. (MD) No.534 of 2018
05.12.2018