



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.A(MD)No.424 of 2018

Selvam

.. Appellant / Petitioner

Vs.

The State rep. by,
The Inspector of Police,
Muneerpallam Town Police Station,
Tirunelveli District.
[Crime No.262 of 2014]

.. Respondent/ Respondent

PRAYER: Criminal Appeal is filed under Section 14(A)(2) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2016, praying to set aside the order made in Crl.M.P.No.2492 of 2018 dated 21.08.2018 passed on the file of the learned II-Additional District and Sessions Judge, Tirunelveli and thereby release the appellant on bail in PRC.No.2 of 2015 on the file of the Judicial Magistrate Court No.V, Tirunelveli.

For Appellant : Mr.P.R.Prithiviraj

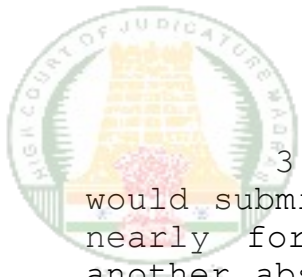
For Respondent : Mr.A.Robinson,

Government Advocate (Criminal side)

JUDGMENT

This Criminal Appeal is filed praying to set aside the order dated 21.08.2018 passed in Crl.M.P.No.2492 of 2018 on the file of the Judicial Magistrate Court No.V, Tirunelveli.

2. The learned counsel appearing for the appellant herein would submit that this appellant, who is arrayed as A2 in Crime No.262 of 2014 on the file of the Muneerpallam Town Police Station, Tirunelveli was regularly attending the Court till 14.02.2016. But due to some lack of communication of his counsel on record, he did not attend the Court thereafter. Because of his non-appearance, the trial Court issued NBW on 14.06.2016 and secured him on 15.02.2018. Since then, he is in prison for nearly 250 days. It is submitted by the learned counsel that the appellant is ready to abide by any condition and hereinafter for cooperate for speedy disposal of the trial.



3. However, the learned Government Advocate (Criminal side) would submit that this appellant wantonly jumped bail and absconded nearly for two years. There are totally 13 accused. One after another abscond themselves and preventing the progress of trial. He further submitted that now the matter is posted for committal before the committal Court. If the appellant is released on bail, he may again jump bail and cause further delay.

4. On hearing the submission of the learned Government Advocate (Criminal side), the learned counsel appearing for the appellant/Accused No.2 seeks leave of this Court to withdraw this appeal. Hence, he is permitted to withdraw this appeal. He has also made an endorsement to that effect.

5. Recording the endorsement made by the learned counsel for the appellant, this criminal appeal is dismissed as withdrawn.

Sd/-

Assistant Registrar (PROTOCOL)

/True Copy/

Sub Assistant Registrar (CS-I)

To

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

2. The Judicial Magistrate No.V,
Tirunelveli.

3. The Inspector of Police,
Muneerpallan Town Police Station,
Tirunelveli District.

4. The Superintendent, Central Prison,
Palayamkottai.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

PJL

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JUDGMENT MADE IN
Crl.A (MD) No.424 of 2018
12.10.2018