

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2020

CORAM

THE HONOURABLE MR.JUSTICE. G.K.ILANTHIRAIYAN

Crl.O.P.No.7420 of 2020

Deenadalayan

...Petitioner

Vs.

State rep. by its

...Respondent

The Inspector of Police,
Gomangalam Police Station,
Coimbatore District.

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C, to enlarge the petitioner on bail in P.R.C.No.22 of 2018 pending trial Judicial Magistrate-I, Pollachi.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.Mohammed Riyaz
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.03.2020 for the offence punishable under Sections 457, r/w.395 and 397 of IPC in Crime No.150 of 2015 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons were robbed 12-1/2 sovereigns of gold jewels, cell phone, silver articles and also a sum of Rs.25,000/- from the defacto complainant. Hence, the compliant.

3. The learned counsel appearing for the petitioner would submit that initially the petitioner was granted bail and he was complying with the conditions regularly. On 18.09.2019 the petitioner was not able to appear before the concerned magistrate and hence, non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail. Hence, he sought for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that it is a case of jumped bail. Due to non appearance of the petitioner, non bailable warrant was issued against the petitioner on 18.09.2019 and he was arrested and remanded to judicial custody on 17.03.2020 after a period of six months. If the petitioner is granted bail, it would be difficult for the respondent to secure the petitioner. He further submitted that the case is pending trial and also 11 previous cases are pending against the petitioner. Therefore, he vehemently opposed for the grant of bail to the petitioner.

5. Considering the above facts and circumstances of this case and also considering the bad antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original petition is dismissed.

-sd/-

06/05/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL DISTRICT & SESSION JUDGE,
COIMBATORE.

2 THE JUDICIAL MAGISTRATE,
NO.1, POLLACHI.

3 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
GOMANGALAM POLICE STATION,
COIMBATORE DISTRICT.

6 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to MR.W.CAMYLES GANDHI, Advocate on payment of necessary charges

CRL OP.7420/2020

Date :06/05/2020