

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2020

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.7340 of 2020

Ramki, S/o Ravichandran,
No.35, M.G.R. Nagar,
Kannadapalay,
Tambaram – 600059.

.....Petitioner

-Vs-

The Inspector of Police,
Tambaram Police Station,
Chengalpattu District.

.....Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge him on bail of the case in S.C.No. 252 of 2009 on the file of the (Learned Principal Sessions Judge at Chengalpattu) in the Crime No. 609 of 2009 on the file of the respondent Police, (The Inspector of Police, Tambaram Police Station, Chengalpattu District).

For Petitioner : Mr.M.Illiyas

For Respondent : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.06.2019 for the offences punishable under Section 302 of IPC in Crime No.609 of 2009 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that in the above crime of the year 2009 for the offence under Section 302 of IPC, initially, the petitioner was granted bail and subsequently, he was absent and as such, Non-Bailable Warrant was issued in S.C.No.252 of 2009. Thereafter, the Non-Bailable Warrant was executed and the petitioner was remanded to judicial custody.

3. The learned counsel appearing for the petitioner would submit that the petitioner is not involved in the above alleged offence and he is no way connected with the offence as alleged by the prosecution and he did not commit any offence. He would further submit that the petitioner was arrested on the Non-Bailable Warrant on 10.06.2019. Therefore, the petitioner was incarcerated for the past one year. Hence, he seeks bail for the petitioner.

4. The learned Additional Public Prosecutor (Crl.Side) has submitted that the petitioner absconded from the trial and as such, the trial Court issued Non-Bailable Warrant on 09.12.2016. On the Non-Bailable Warrant, he was arrested on 10.06.2019. Now, all the witnesses have been examined and posted for chief examination of Investigating Officer. Further, the petitioner had very bad antecedent and he has involved in more than 36 cases.

5. It is seen that the petitioner was originally granted bail in the above S.C.No.252 of 2009 for the offence under Section 302 of IPC. Thereafter, he has not appeared before the trial Court and as such, the trial Court issued Non-Bailable Warrant on 09.12.2016. On the Non-Bailable Warrant, the petitioner was arrested and remanded to judicial custody on 10.06.2019. Now, the trial is in progress and posted for chief examination of Investigating Officer. That apart, the petitioner had very bad antecedent and he has so far involved in more than 36 cases. Therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this petition stands dismissed.

11.05.2020

Index : Yes/No

Internet : Yes/No

Speaking order/Non-speaking order

dna

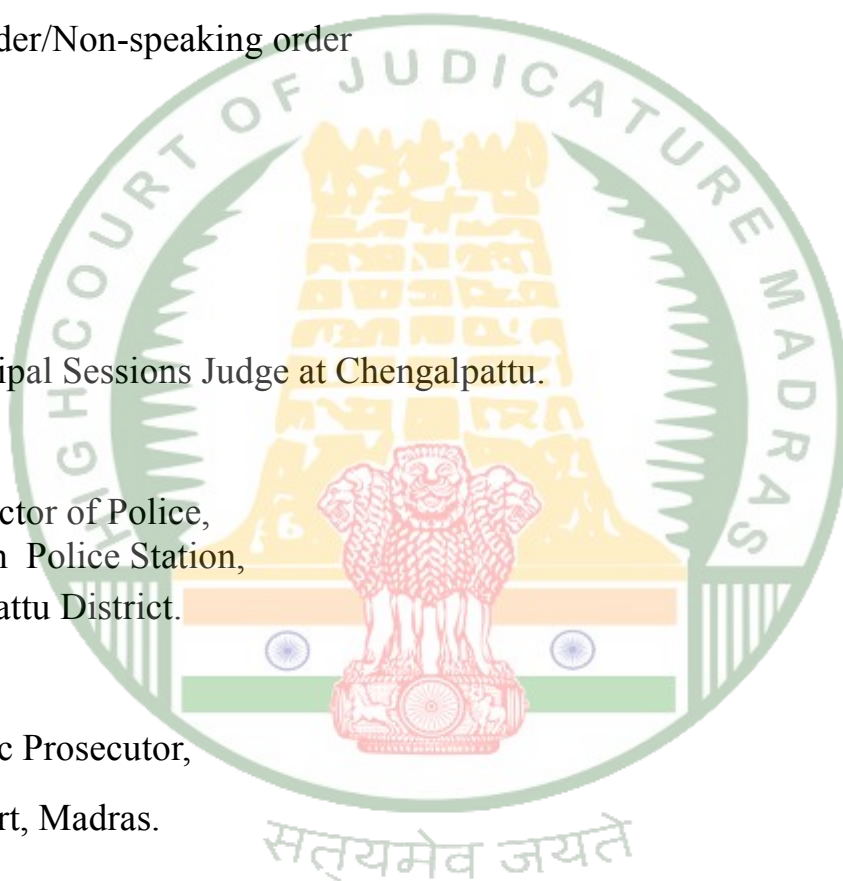
To

1. The Principal Sessions Judge at Chengalpattu.

2. The Inspector of Police,
Tambaram Police Station,
Chengalpattu District.

3. The Public Prosecutor,
High Court, Madras.

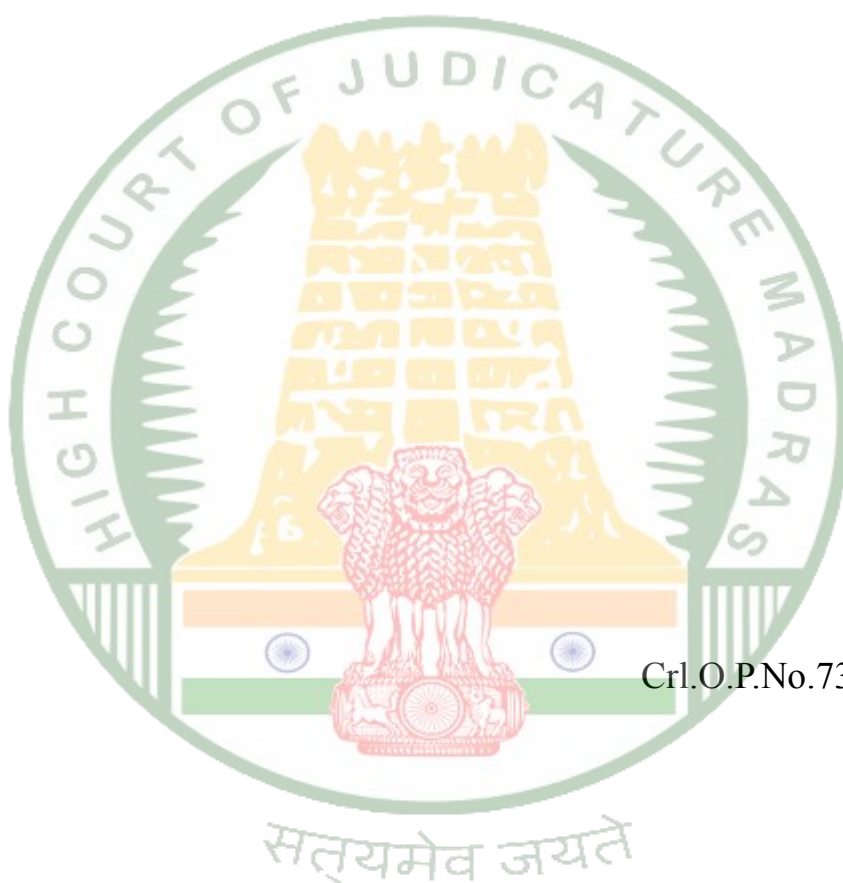
4. The Superintendent,
Central Prison, Puzhal.



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G.K.ILANTHIRAIYAN, J.

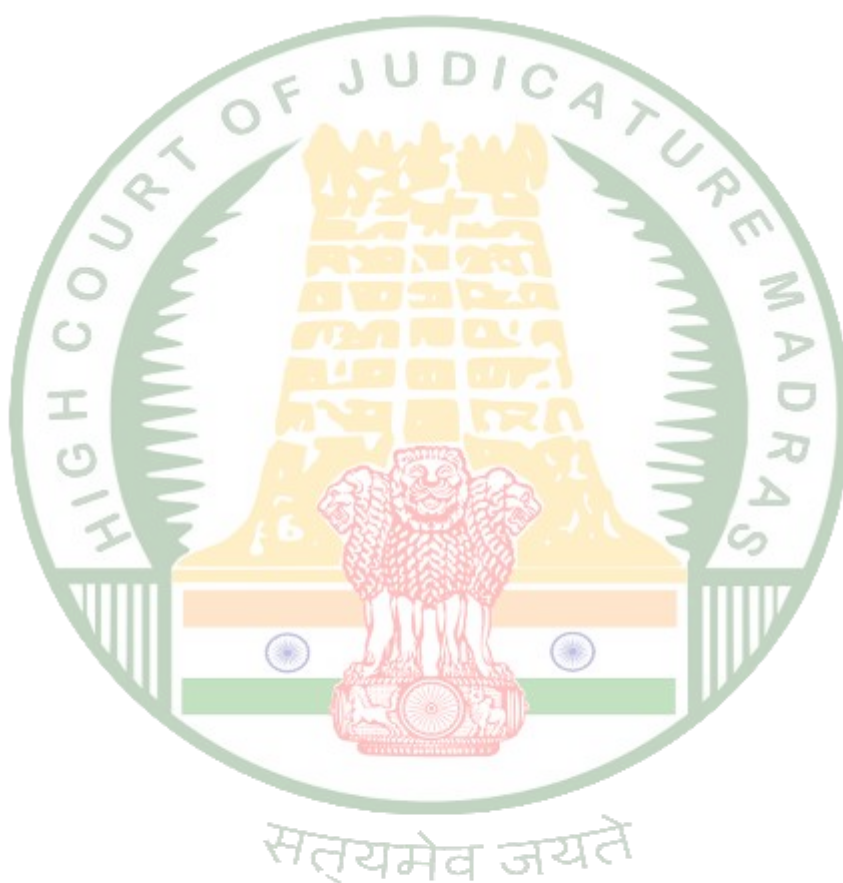
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