

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2020

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.7674 of 2020

Kadhir @ Kadhir Vel

... Petitioner

Vs.

State Rep by,

... Respondent

The Inspector of Police,
J-2, Adyar Police Station,
Chennai District.
(Crime No.144 of 2014)

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in S.C. No.205 of 2015 pending trial on the file of the V Additional Sessions Court, Chennai.

For Petitioner : Mr.S.N.Arun Kumar

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.03.2020 for the offence punishable under Sections 147, 148, 341, 324, 307 and 506 (ii) of IPC in S.C. No.205 of 2015 on the file of the learned Additional Judge, Chennai, seeks bail.

2.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 07.09.2019 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.

3.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 22.10.2019 and he was arrested and remanded to judicial custody on 14.03.2020 after a period of five 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 12 previous cases are pending against the petitioner. Therefore, he vehemently opposed for the grant of bail to the petitioner.

4.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.

5.Accordingly, the Criminal Original petition is dismissed.

-sd/-

28/05/2020

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 AND
SESSIONS JUDGE, CHENNAI.

2 THE V ADDITIONAL SESSIONS
COURT, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
J-2 ADYAR POLICE STATION
CHENNAI DISTRICT

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI

CC to M/S. S.N.ARUNKUMAR Advocate on payment of necessary charges

CRL OP.7674/2020

Date :28/05/2020

TA-19/08/2020

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