

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.8489 of 2020

Manikandan @ Gundumanikandan

... Petitioner

Vs.

State Rep by
The Inspector of Police,
D-1 Ramanathapuram Police Station,
Coimbatore District.
Crime No.1058 of 2020.

...Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C., to enlarge the petitioner on bail in pending committal in S.C.No. 141 of 2020 on the file of the Chief Judicial Magistrate, Coimbatore.

For Petitioner : Mr.W.Gambyles Gandhi

For Respondent :Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

The petitioner who was arrested and remanded to judicial custody on 17.09.2019 for the offence punishable under Sections **341, 392, 397,**

506(ii) of IPC and U/Sec.75(1) (c) of TNCP Act in Crime No.1058 of 2020 on the file of the respondent police in S.C.No. 141 of 2020 on the file of the Chief Judicial Magistrate, Coimbatore, seeks bail.

2. It is a case of jumped bail. The case of the prosecution is that on 27.10.2018 at about 9.30 a.m., the petitioner picked up a quarrel with the defacto complainant, abused by using filthy language and also snatched away Rs.1000/- from the defacto complainant at knife point.

3. The learned counsel for the petitioner would submit that the alleged occurrence in this case is said to have taken place 27.10.2018. Thereafter, the petitioner was let out on bail and he had been appearing before the concerned Court regularly. The investigation was completed and the petitioner is facing trial in S.C.No.141 of 2019 before learned Chief Judicial Magistrate, Coimbatore. On 03.08.2019 the petitioner due to unavoidable circumstances, could not appear before the concerned Court and he was unable to inform his counsel about the absence and no petition under Section 311 was filed. Hence, NBW issued against the petitioner.

Thereafter, the petitioner was arrested and remanded in another case in Crime No.643 of 2014 and the respondent police had executed NBW and took him under PT warrant on 17.09.2019 in this case. Thereafter, the petitioner was also detained under Goondas Act and the petitioner had challenged the same in HCP.No.2081 of 2020 and the detention order against the petitioner was quashed. He further submitted that the petitioner has been in judicial custody for nearly nine months from 17.09.2020 and hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is a notorious criminal and having 16 previous cases out of which, 12 cases alone are in the respondent police station and all are similar in nature. He has also got a case under NDPS Act in Crime No.643 of 2019. The petitioner has been produced in this case on the strength of the NBW and PT warrant. He further submitted that the petitioner has been indulging in similar nature of offences and if he is released on bail, he would abscond and the trial of the cases would get stalled. Hence he strongly opposed for grant of bail.

M.NIRMAL KUMAR, J.

mpa

5. Taking into account that the petitioner has got 16 previous cases in various police stations of similar in nature and that he has also got a case under NDPS Act and he is a notorious person, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

11.06.2020

mpa

To

1. The Judicial Magistrate,
Coimbatore.
2. The Inspecto of Police,
D-1 Ramanathapuram Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.
4. The Superintendent
Central prison, Coimbatore.

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