

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.06.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.9550 of 2020

Raja @ Rajarathinam

.. Petitioner

/versus/

The State Rep. by
The Inspector of Police,
Anuppapalayam Police Station,
Tiruppur,
Crime No.623 of 2014.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, to release the petitioner in connection with Non Bailable Warrant issued against him in S.C.No.24 of 2020 on the file of the learned Principal District Judge, Tiruppur.

For Petitioner : Mr.P.Raj Kumar

For Respondent : Mr.K.Prabhakar,
Addl Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner has been arrested pursuant to the Non Bailable Warrant issued by the learned Principal District Judge, Tiruppur in S.C.No.24 of 2020 in Crime No.623 of 2014 for the offence punishable under Section 364, 302, 379 and 201 r/w 109 IPC. The Non Bailable Warrant was issued by the Court on 23.12.2019 and the same was executed on 04.03.2020.

2. The learned counsel for the petitioner would submit that the petitioner was originally enlarged on bail and thereafter, he was regularly appearing before the Court. On 23.12.2019, due to his illness he did not appear before the Court and thereby, the Court issued the Non Bailable Warrant. Pursuant to which, the petitioner was arrested on 04.03.2020. He would further submit that the petitioner is in custody from 04.03.2020. He would further submit that the petitioner herein after regularly appear before the Court.

3. The learned Additional Public Prosecutor for the respondent would submit that the case for murder for gain. He would further submit that the petitioner belongs to Dindigul District, the case was committed within the jurisdiction of Tiruppur District. The case in

S.C.No.24 of 2020 has been posted for furnishing the copies on 07.07.2020. Since the petitioner did not appear before the Court on 23.12.2019, the Non Bailable Warrant of arrest was issued and with much difficulty it was executed on 04.03.2020. The petitioner was involved in 10 previous cases of theft, house breaking and robbery. He would further submit that in very great difficulty the Non Bailable Warrant was executed. At this juncture, if bail is granted to the petitioner, there is every possibility of the petitioner absconding and the progress of the trial being derailed.

4. Taking into consideration the facts and circumstances of the case and the antecedents of the petitioner, I am not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

-sd/-
26/06/2020

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 JUDGE
TIRUPPUR

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ANUPPARPALAYAM POLICE STATION,
TIRUPPUR.

CC to M/S. RAJKUMAR P Advocate on payment of necessary charges

CRL OP.9550/2020

Date :26/06/2020

rd 21/07/2020