

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2020

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.Nos.9943, 9957, 9958 and 9959 of 2020

Vishnu, M/A 28 years  
S/o.Murugavel  
No.13/3, Ammanputur  
Mettur Via  
Pothanur Post  
Coimbatore.

.. Petitioner  
in all Crl.O.Ps

Vs.

State, rep. by  
The Inspector of Police,  
Kovilpalayam Police Station  
Coimbatore.

..Respondent  
in all Crl.O.Ps

**Prayer:** Criminal Original Petitions filed under Section 439 of Criminal Procedure Code, praying to enlarge the petitioner on bail in C.C Nos.960, 983, 847 and 848 of 2014 on the file of the Judicial Magistrate No.II, Coimbatore.

For Petitioner : Mr. K.Thenrajan  
in all Crl.Ops

For Respondent : Mr.K.Prabakar  
in all Crl.Ops Additional Public Prosecutor

## COMMON ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 07.12.2019 pursuant to the NBW issued by the Judicial Magistrate No.II, Coimbatore, in C.C No.960, 983, 847 and 848 of 2014 for the alleged offences under Sections 454 and 380 of IPC, seeks bail.

2. The petitioner was arrested and remanded to judicial custody on 07.12.2019 pursuant to the NBW issued by the Judicial Magistrate No.II, Coimbatore in C.C No.960, 983, 847 and 848 of 2014 on 21.06.2018.

3.. The learned counsel for the petitioner would submit that in all the abocw four cases, the petitioner was charged for the offences under Sections 454 and 380 of IPC. The occurrence had taken place during the year 2014. He would further submit that originally the petitioner was granted bail and thereafter, he was regularly appearing before the trial Court. Subsequently, on 21.06.2018 since the petitioner did not appear before the trial Court, NBW was issued on 21.06.2018 and

thereafter, when he was in remand in connection with Cr.No.65 of 2019 registered by the Sulthanpettai Police Station, the petitioner was produced before the trial Court on P.T warrant on 12.12.2019, The learned trial Judge without notice cancelled the bail and remanded the petitioner to judicial custody. He would further submit that the petitioner is in judicial custody from 07.12.2019. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is a habitual offender. Apart from the cases pending before the respondent police, the petitioner has involved in the case registered by **Sulur** Police Station for the offence under Section 392 IPC and yet another case has been registered by Udumalpet Police Station for the offences under Sections 454 and 380 of IPC. He would further submit that when the petitioner was on bail in all the cases, he had committed the offences under Sections 454 and 380 IPC, registered by the **Sulur** Police Station and thereafter, both the **Sulur** Police Station cases and Kovilpalayam Police Station cases were taken up together for trial and when all the cases were posted on 21.06.2018, the petitioner did not

appear before the trial Court and hence, the learned trial Judge was pleased to issue NBW on the same day. He would further submit that despite the efforts taken by the respondents, they were unable to arrest him. In the meanwhile during the period of absconding he got involved in Crime No.65 of 2019 registered by the Sulthanpettai Police Station and he was arrested on 07.12.2019 and thereafter P.T.Warrant was issued and he was remanded to judicial custody in all these cases on 12.12.2019. He would further submit that the petitioner has been absconding for the past two years and thereby, the learned trial Judge had cancelled the bail bonds. He would further submit that if the petitioner is let out on bail, there is every possibility that the petitioner absconding once again and it would be very difficult for the respondents to secure him and complete the trial in CC.Nos.Nos.960, 983, 847 and 848 of 2014.

5. At this juncture, the learned counsel for the petitioner requested this Court that a direction may be issued to the learned trial Judge to complete the trial within a time frame fixed by this Court.

6. Taking into consideration the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

7. In the result, all the Criminal Original Petitions are dismissed. However, a directions is issued to the learned Judicial Magistrate No.II, Coimbatore, to complete the trial in all the above cases as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

**02.07.2020**

Index: Yes/No.

Internet/Yes/No

Speaking order/Non-speaking order

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To

1.The Judicial Magistrate No.II , Coimbatore.

2. The Superintendent, Central Prison, Coimbatore

3.The Inspector of Police,  
Kovilpalayam Police Station  
Coimbatore.

4. The Public Prosecutor  
High Court of Madras.

**A.D.JAGADISH CHANDIRA,J**

mst/uma



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