



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.08.2020

CORAM :

WEB COPY

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

Crl.O.P.No.11864 of 2020

M.Karunanidhi

... Petitioner

Vs.

State represented by
The Inspector of Police
K3, Aminjikarai P.S.
Chennai.
Crime No.1133/ 2010

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in S.C.No.122 of 2018 pending trial on the file of III Additional Sessions Judge, Chennai.

For Petitioner : Mr.N.Selvarajan

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 12.03.2020 for the offences punishable under Section 302 IPC, in Crime No.1133 of 2010, seeks bail.

2.The learned counsel appearing for the petitioner would submit that the petitioner due to ill health was unable to appear before the Trial Court on 04.11.2018, thereby, the Trial Judge had issued a non bailable warrant (NBW) against the petitioner and it was executed on 12.03.2020 and the petitioner is in custody for more than 4 months.

4.The learned Government Advocate (Crl. Side) would submit that the Sessions case is of the year 2018. He would further submit that the petitioner did not appear before the Trial Court on 04.11.2018 when the case was posted for judgment. Hence the Trial Court had issued NBW on 04.11.2018 and the same was executed only on 12.03.2020 i.e after 1 ½ years.



5. Taking into consideration of the fact that the case is posted for judgment and the petitioner has absconded for 1 ½ years, this Court is not inclined to grant bail to the petitioner. However, the learned Judge is hereby directed to deliver the judgment as expeditiously as possible, preferably within one month from the date of lifting of lockdown.

6. With the above direction, this Criminal Original Petition is dismissed.

-sd/-

06/08/2020

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
K3 AMINJIKARAI POLICE STATION,
CHENNAI.

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

CRL OP.11864/2020

Date :06/08/2020

RVR 11/09/2020