

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.08.2020

CORAM :

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

Crl.O.P.No.11638 of 2020

Muthuraj

... Petitioner

Vs.

State rep. by

The Inspector of Police

Thiruvannamalai East Police Station

Thiruvannamalai District

(Crime No.660 of 2015)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in P.R.C.No.2 of 2016 on the file of the learned Judicial Magistrate No.II, Thiruvannamalai in Crime No.660 of 2015 on the file of Respondent.

For Petitioner : Mr.C.S.Saravanan

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 04.03.2020 for the offences punishable under Section 341, 506(ii), 392 r/w 397 IPC, in Crime No.660 of 2015, seeks bail.

2.The case of the prosecution is that the petitioner was arrested and released on bail, subsequently due to his non appearance, the learned Judicial Magistrate No.II, Thiruvannamalai issued Non Bailable Warrant against the petitioner on 18.02.2020 pursuant to which, the petitioner has been arrested on 04.03.2020.

3.The learned counsel appearing for the petitioner would submit that the petitioner was originally arrested by the Erode North Police Station in Crime No.107 of 2020 for the offences under Section 457 and 380 IPC on 17.02.2020, while he was in custody, the petitioner was arrested on P.T.Warrant in this case. He would further submit that the Court below without issuing summons to the petitioner had arrested him on P.T. Warrant.

4.The learned Government Advocate (Crl. Side) would submit that the petitioner is a notorious offender and had repeatedly involved in several cases of similar nature. He would further submit that the respondents were unable to serve summons to the petitioner. He would further submit that after the petitioner was arrested by the Erode North Police in Crime No. No.107 of 2020 for the offences under Section 457 and 380 IPC on 17.02.2020, when he was in prison, the Court below issued P.T. Warrant and he was brought into the custody. Apart from the above cases, the petitioner has also involved in Crime No.221 of 2015 and Crime No.260 of 2015 registered by the respondent police. Other than these cases, the petitioner has involved in cases in Crime No.38 of 2020 registered by the Namakkal Police Station, Crime No.33 of 2020 registered by the Tiruchengode Rural Police Station and Crime No.36 of 2020 registered by the Pallipalayam Police Station. Apart from that the petitioner has also involved in several cases in Erode, Dharmapuri and Krishnagiri Districts. He would further submit that the case is of the year 2015 and P.R..C. No.2 is of the year 2016 on the file of the learned Judicial Magistrate No.II, Thiruvannamalai. He would further submit that in this position, if the petitioner is enlarged on bail, he may abscond and derail the trial. Hence, he vehemently opposes for the grant of bail to the petitioner.

5.Taking into consideration of the antecedents of the petitioner and he has involved in several cases of similar nature, this Court is not inclined to grant bail to the petitioner. Since the case is of the year 2015, the learned Trial Judge is hereby directed to complete the trial within a period of six months from the date of lifting of lockdown or normal functioning of the Court whichever is earlier.

6.With the above direction, this Criminal Original petition stands dismissed.

-sd/-

26/08/2020

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 JUDICIAL MAGISTRATE,
NO.II, THIRUVANNAMALAI.

2 THE SUPERINTENDENT,
<https://hcservices.ecourts.gov.in/hcservices/>
CENTRAL PRISON, COIMBATORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

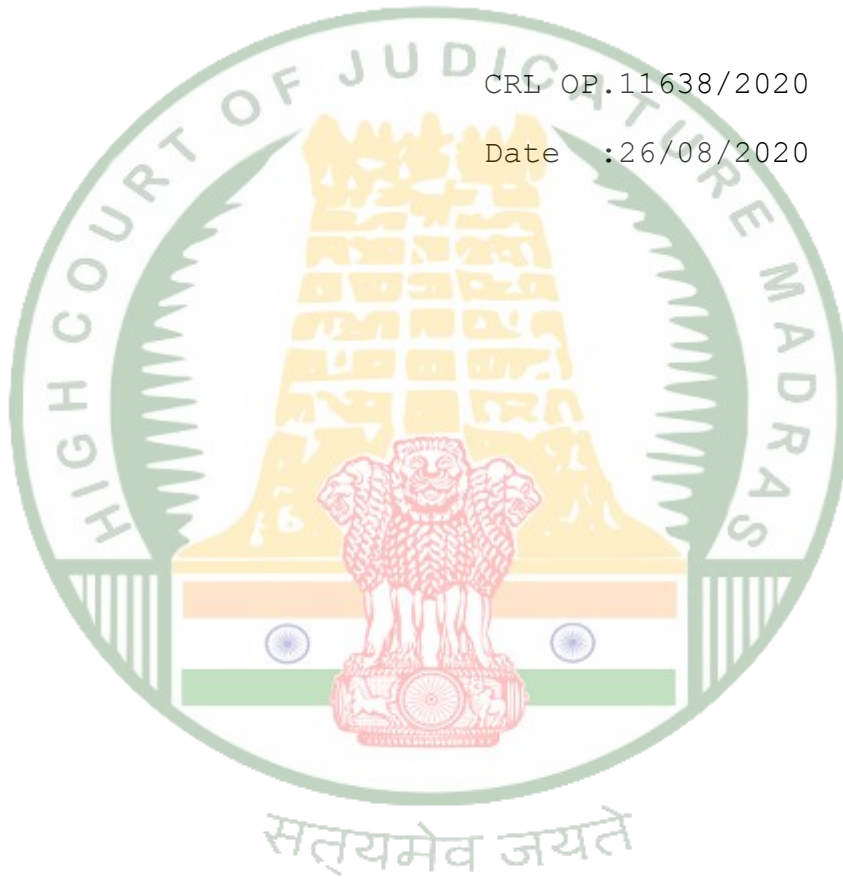
4 THE INSPECTOR OF POLICE,
THIRUVANNAMALAI EAST POLICE STATION,
THIRUVANNAMALAI DISTRICT.

CC to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges

CRL OP.11638/2020

Date :26/08/2020

cs 08/09/2020



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