

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.08.2020

CORAM :

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

CrI.O.P.No.13001 of 2020

Raj @ Rajasekaran

... Petitioner

Vs.

State Represented through
the Inspector of Police
Nannilam Police Station
(Crime No.416 of 2008)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.416 of 2008, pending on the file of the Respondent Police and P.R.C.No.2 of 2018 on the file of the learned District Munsif cum Judicial Magistrate at Nannilam.

For Petitioner : Ms.S.Suseela Devi

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (CrI. 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 15.07.2020 for the offences punishable under Section 147, 148, 302, 506(ii), 120(b), 109, 34 IPC, in Crime No.416 of 2008, seeks bail.

2. It is a case of jumped bail.

3. The learned Counsel for the petitioner would submit that the petitioner was arrested on 15.07.2020 pursuant to an NBW issued by the Trial Court. He would further submit that the petitioner is in custody for more than 40 days.

4. The learned Government Advocate (Criminal Side) would submit that it is a case of the year 2008 and the final report has been filed and taken in P.R.C.No.15 of 2019. He would further submit that the petitioner was earlier granted anticipatory bail in the year 2013, thereafter, he did not surrender before the Court. He would further submit that the petitioner was secured with great difficulty on 15.07.2020 and if the petitioner is enlarged on bail, there is every

possibility of him absconding once again and derailing the progress of trial. He would further submit that the committal proceedings in P.R.C.No.2 of 2018 is pending on the file of the learned District Munsif cum Judicial Magistrate, Nannilam.

5. Heard both sides. Perused records.

6. The petitioner is A14 in Crime No.416 of 2008 registered by the respondent police. The petitioner after obtaining anticipatory bail has not surrendered. The respondent police after completing of investigation had filed final report in P.R.C.No.8 of 2008 and since the petitioner was absconding, the case against the petitioner and one Senthilnathan was split up in P.R.C.No.15 of 2019. Even thereafter, the petitioner did not surrender and the other accused have been acquitted from the case. Thereafter the petitioner was arrested only on 15.07.2020 and it is seen that the case has been taken in P.R.C.No.2 of 2018 in respect to the petitioner and is pending committal. This Court is of the opinion that if bail is granted to the petitioner he may abscond and thereby derailing the trial committal. Further the case is of the year 2008, this Court is not inclined to grant bail to the petitioner.

7. This Criminal Original Petition stands dismissed accordingly.

-sd/-
25/08/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
NANNILAM POLICE STATION

+1 CC to M/S. S.SUSEELA DEVI Advocate on payment of
necessary charges SR.NO. 6025

CRL OP.13001/2020

Date :25/08/2020