

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.08.2020

CORAM :

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

Crl.O.P.No.12623 of 2020

Senthil @ Senthilkumar

... Petitioner

Vs.

State Rep. by
The Inspector of Police
Palladam Police Station
Tiruppur
Tiruppur District
(Crime No.50 of 2015) ... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in S.C.No.41 of 2016 on the file of learned I Additional Sessions Judge, Tiruppur in Crime No.50 of 2015 on the file of the Respondent.

For Petitioner : Mr.C.S.Saravanan

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

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 15.06.2020 for the offences punishable under Section 302 IPC, in Crime No.15 of 2015, seeks bail.

2.It is a case of jumped bail. The petitioner is an accused in S.C.No.41 of 2016, pending trial on the file of the learned I Additional Sessions Judge, Tiruppur. Since the petitioner did not appear before the Trial Court on 08.04.2019, the Trial Judge issued an NBW and the petitioner was arrested on 15.06.2020 pursuant to the NBW.

3.The learned counsel for the petitioner would submit that the petitioner was suffering from viral fever, due to which, he could not appear before the Court on 08.04.2019, thereafter, the petitioner was arrested on 15.06.2020 and he is custody for more than two months. He would further submit that the petitioner is prepared to abide by any stringent conditions that to be imposed by

4.The learned Government Advocate (Crl. Side) would submit that the petitioner was irregular in appearing before the Trial Court. The earlier NBW issued to the petitioner was recalled by the Trial Judge. Since the petitioner failed to appear before the Trial Court on 08.04.2019, the Trial Judge issued NBW and the warrant was executed with great difficulty and the petitioner was secured on 15.06.2020 after a period of 1 ½ years. He would further submit that the trial is in a crucial stage, if the petitioner is let on bail, he may derail the process of trial.

5.At this juncture, the learned counsel for the petitioner would submit that a direction may be given to the Trial Court to complete the Trial within the stipulated period prescribed by this Court.

6.Taking into consideration of the submissions made by the learned Government Advocate (Crl. Side), this Court is not inclined to grant bail to the petitioner. The learned Trial Judge is hereby directed to complete the trial in S.C.No.41 of 2016 preferably within a period of six months from the date of lifting of lockdown.

7.With the above direction, this Criminal Original Petition stands dismissed.

-sd/-

19/08/2020

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 I ADDITIONAL SESSIONS JUDGE,
TIRUPPUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR, TIRUPPUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

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

CRL OP.12623/2020

Date :19/08/2020