

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.13419 of 2020

Karthick Prakash

.. Petitioner

Vs.

The Inspector of Police
Thiyadurugam Police Station,
Villupuram District
Crime No.207 of 2017.

..Respondent

Prayer: Criminal Original Petition filed under Section 439 of Criminal Procedure Code, praying to enlarge the petitioner/accused on bail in P.R.C.No.18 of 2018 pending on the file of the learned Principal Sessions Judge, Villupuram.

For Petitioners : Mr.V.A.Dhana Aravindha Balaji

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 16.06.2020 for the offence punishable under Sections 457, 392, 397, 120B of IPC in Crime No.207 of 2017 on the file of the respondent police seeks bail.

2. It is a case of jumped bail. Since, the petitioner did not appear before the Court, the learned Judicial Magistrate-II, Kallakkurichi, had issued Non Bailable Warrant on 31.08.2019. Pursuant to which, the petitioner was arrested on P.T.Warrant on 16.06.2020.

3. The learned Counsel for the petitioner would submit the the petitioner is an innocent and he has been falsely implicated in this case. He would submit that the petitioner was arrested in one police station and thereafter, he has been implicated in the other cases. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate would submit that the petitioner is a habitual offender, involved in several cases and also produced the list of cases as detailed below;

S.No	Crime No.	Offences U/s	Stage
1	Cr.No.136 of 2016 Avinasipalayam P.S.	Sec. 395, 397, 457 IPC	P.T.
2	Cr.No.47 of 2015 Bodinayakanur P.S.	Sec. 114, 397 IPC	P.T.
3	Cr.No.177 of 2017 Thalaivasal	392, 397 IPC	N.T.F.
4	Cr.No.307 of 2017 Thiyadurugam P.S.	Sec.120B, 392, 397, 457 IPC	P.T.
5	Cr.No.41 of 2018 Modakkurichi P.S.	380 IPC	P.T.
6	Cr.No.239 of 2018 Modakkurichi P.S.	392, 506(ii) IPC	P.T.

The learned Government Advocate (Crl. Side) would submit that the petitioner along with three other accused committed theft of jewels worth about Rs.2,50,000/- and also a Maruthi Car. Thereafter, the petitioner was arrested and later granted bail and after completion of investigation, final report was filed and the same was taken up on file in P.R.C.No.18 of 2018 on the file of the Judicial Magistrate-II, Kallakkurichi. The petitioner after coming out on bail absconded and thereby, the trial Court issued Non Bailable Warrant against the petitioner. While the Non Bailable Warrant was pending, the petitioner was arrested in a case registered in Crime No.136 of 2016 registered by the Avinasi Police and when he was in custody, he was produced before the Kallakkurichi Police on P.T. Warrant. He would submit that Non Bailable Warrant is also pending for the other accused and if the petitioner is granted bail, he would again abscond and it would derail the progress of committal and the case cannot be committed to the Sessions Court.

5. Taking into consideration the petitioner is a habitual offender, involved in several cases of similar nature, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition stands dismissed.

-sd/-
10/09/2020

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 PRINCIPAL SESSIONS JUDGE,
VILLUPURAM.

2 THE JUDICIAL MAGISTRATE-II,
KALLAKKURICHI,

3 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
THIYADURUGAM POLICE,
VILLUPURAM DISTRICT.

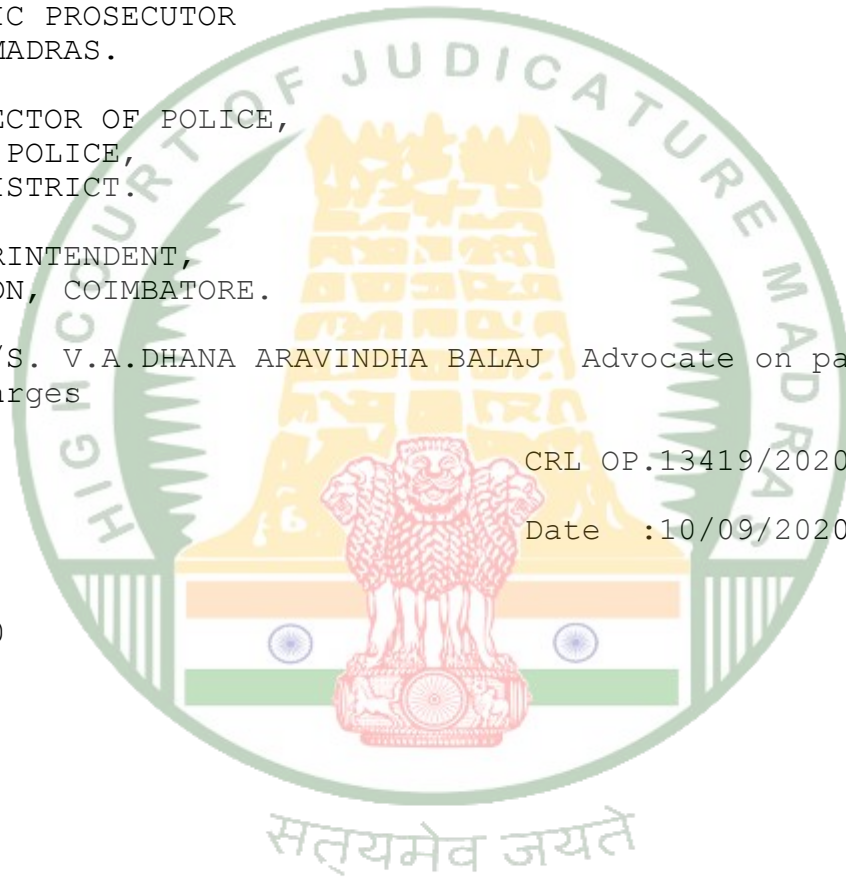
6 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S. V.A.DHANA ARAVINDHA BALAJ Advocate on payment of
necessary charges

CRL OP.13419/2020

Date :10/09/2020

TA-30/09/2020



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