

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.OP.No.13620 of 2020

Seeni @ Aruppu Seeni

... Petitioner

Vs.

State Inspector of Police
P2 Otteri Police Station,
Chennai.

Cr.No.802 of 2009

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest at the hands of the respondent police trial in S.C.No.429 of 2013 on the file of the VI Additional Sessions Court, Chennai, in Crime No.802 of 2009 on the file of the respondent police.

For Petitioner : Mr.S.Senthil Vel

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

O R D E R

(This case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under **Sections 341, 393, 398, 397 and 506(ii) IPC in Crime No.802 of 2009**, on the file of the respondent police, seeks anticipatory bail.

2. It is a case of jumped bail. The learned Counsel for the petitioner would submit that the petitioner along with other accused was regularly appearing before the VI Additional Sessions Court in connection with case in S.C.No.429 of 2013. While so, on 02.03.2020 the petitioner did not appear before the trial Court and thereby the trial Court issued NBW against the petitioner. Thereafter, when the petitioner was making arrangements to surrender before the Court, the Courts were closed and thereby, he was unable to surrender before the Court. He would submit that

the petitioner is prepared to surrender before the Court and file necessary application for recall of warrant and prays that suitable orders may be passed.

3. The learned Additional Public Prosecutor would submit that the petitioner along with two other accused involved in a case in Crime No.802 of 2009 and the case has been taken on file in S.C.No.429 of 2013 on the file of the VI Additional Sessions Judge, Chennai. He would further submit that one of the accused in this case died and the petitioner and one another accused are facing trial. Since, the petitioner did not appear before the trial Court, the learned trial Judge issued NBW against the petitioner on 02.03.2020 and the trial is pending for the past seven years from the year 2013. Hence, he opposed for grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts and circumstances and the undertaking given by the learned counsel for the petitioner, the petitioner is directed to surrender before the learned VI Additional Sessions Judge, Chennai, within a period of two weeks from the date of receipt of a copy of this order and file a petition to recall NBW already issued against him. On filing of such petition, the learned Sessions Judge is directed to consider the same on merits and pass orders on the same day of surrender.

5. This criminal original petition is disposed of accordingly.

-sd/-
07/09/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

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सत्यमेव जयते

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

WEB COPY

TO

1 THE VI ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
P2 OTTERI POLICE STATION,
CHENNAI.

CC to M/S. S.SENTHIL VEL Advocate on payment of necessary charges

CRL OP.13620/2020

Date :07/09/2020

MK:24/09/2020



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