

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.10.2020

CORAM :

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

Crl.O.P.No.15505 of 2020

Manickam

... Petitioner

Vs.

State, Rep by
Inspector of Police
G-5, Secretariat Colony Police Station
Chennai.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in S.C.No.348 of 2014 on the file of the XIX Additional District Judge, Chennai.

For Petitioner : Mr.D.Jai Sankar

For Respondent : Mr.S.Thankira
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 06.08.2020 for the offence punishable under Sections 147, 148, 364, 302 read with 201 and 149 IPC in S.C.No.348 of 2014 on the file of the XIX Additional District Judge, Chennai, seeks bail.

2.It is a case of jumped bail. The petitioner is facing trial in S.C.No.348 of 2014 for offences under Sections 147, 148, 364, 302 read with 201 and 149 IPC. Since the petitioner did not appear before the trial Court on 20.11.2019, the trial Court had issued Non Bailable Warrant against the petitioner on 20.11.2019 pursuant to which, the petitioner was arrested on 06.08.2020 on execution of Non Bailable Warrant.

3.The learned counsel appearing for the petitioner would submit that the petitioner was unable to appear before the trial Court on 20.11.2019 due to sickness and thereafter, due to Covid pandemic, he couldn't appear before the Court and recall the warrant. Meanwhile, he was arrested on 06.08.2020. Hence, he prays for grant of bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that the petitioner is a habitual offender against whom there are six previous cases. She would submit that the petitioner is facing trial and all the independent witnesses have been examined and three witnesses have

been deferred and the trial is at the stage of examination of Investigating Officer and that the case has been posted to 29.10.2020 for examination of Investigating Officer. She would further submit that the petitioner is also facing trial in other cases and NBW is also pending in other cases and if the petitioner is granted bail, there is every possibility of absconding and it will derail the progress of trial.

5. Taking in to consideration the petitioner is a habitual offender and has involved in several cases and the cases has been posted for examination of Investigating Officer and that granting bail at this stage would derail the progress of trial, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

01/10/2020

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 XIX ADDITIONAL DISTRICT JUDGE,
CHENNAI.

2 THE OFFICER INCHARGE,
SUB JAIL, CHENGALPET.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
G-5 SECRETARIAT COLONY POLICE STATION,
CHENNAI.

CC to M/S.D.JAI SANKAR Advocate on payment of necessary charges
Sr.6593

CRL OP.15505/2020

Date :01/10/2020

RVR 12/10/2020