

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.15834 of 2020

Krishnan

... Petitioner

Vs.

The State Rep by
The Inspector of Police,
Vaniyambadi Taluk Police Station,
Thirupattur District.
(Crime No.710 of 2011)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail concerned in C.C.No.231 of 2012 on the file of the Judicial Magistrate Court, Vaniyambadi.

For Petitioner : Mr.M.Vinoth

For Respondent : Mr.T.Shunmugarajeswaran
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 03.03.2020 for the offence punishable under Sections 147, 148, 341, 294(b), 323, 324, 427 and 506(ii) read with 149 of IPC in Crime No.710 of 2011 on the file of the respondent police, seeks bail.

2. It is a case of jumped bail. The petitioner who is arrayed as A6 in this case, has been facing trial in C.C.No.231 of 2012 on the file of the Judicial Magistrate, Vaniyambadi, for the offence under Sections 147, 148, 341, 294(b), 323, 324, 427 and 506(ii) read with 149 of IPC for the occurrence took place on 26.10.2011.

3. The learned counsel appearing for the petitioner would submit that the petitioner was originally granted bail and thereafter, due to illness, he was unable to appear before the Court. Thereby, NBW was issued against the petitioner pursuant to which, the petitioner was arrested on 03.03.2020 on P.T. Warrant and that the petitioner has been suffering incarceration for more than 7 months. Hence, he prays for grant of bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the case is of the year 2011 and the case has been taken on file in C.C.No.231 of 2012 on the file of the Judicial Magistrate, Vaniyambadi. He would submit that there are eight accused in this case and that the accused one after another by taking turns avoided receiving copies and thereby, the Magistrate is unable to proceed with the trial. He would submit that though the Calender Case is of the year 2012, it is pending for furnishing copies. He would further submit that the petitioner has got six other cases and if bail is granted at this stage, there is every possibility of him absconding and that it would be detrimental to the progress of the trial.

5. Taking into consideration the facts and circumstances of the case, the submissions made by the learned Counsels and the fact that the Calender Case is of the year 2012 and it is at the stage of furnishing copies and that the petitioner has got six previous cases against him, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

07/10/2020

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 THE JUDICIAL MAGISTRATE COURT,
VANIYAMBADI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VANIYAMBADI TALUK POLICE STATION,
TIRUPATTUR DISTRICT.

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

CRL OP.15834/2020

Date :07/10/2020