

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2020

CORAM :

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

CRL.O.P.No.16509 of 2020

Suriya Prakash Rao @ Nani

... Petitioner

Vs.

The State, represented by  
Inspector of Police,  
NIB CID,  
Vellore District.  
(Crime No.14/2012)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail concerned in C.C.No.13 of 2012 pending trial on the file of the Special Judge for EC Act cases (FAC), Salem.

For Petitioner : Mr.M.Vinoth

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

O R D E R

(The cases have been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 23.09.2020 for the offences punishable under Section 8(c) r/w 20(b)(ii)(c) of NDPS Act, in Crime No.14 of 2012 on the file of the respondent police, seeks bail.

2.It is a case of jumped bail. The petitioner / Suriya Prakash Rao, is an accused, who is facing trial in C.C.No.13 of 2012, on the file of the Special Judge for EC Act cases (FAC), Salem, for the offences punishable under Section 8(c) r/w 20(b)(ii)(c) of NDPS Act. The petitioner did not appear before the Trial Court on 10.06.2013, hence, the learned Trial Judge had issued an NBW of arrest, pursuant to which, the petitioner was arrested on 23.09.2019.

3.The learned counsel appearing for the petitioner would submit that the petitioner was unable to appear before the Trial Court on 10.06.2013, thereby, the learned Trial Judge had issued NBW of arrest and pursuant to which, the petitioner was arrested on 23.09.2019. He would further submit that the petitioner is in custody for almost one year.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the Crime is of the year 2012 and the case was taken up for trial in C.C.No.13 of 2012 and thereafter, the petitioner has failed to appear before the Trial Court on 10.06.2013, due to which, the learned Trial Judge, had issued NBW and pursuant to which, the petitioner was arrested on 23.09.2019. He would further submit that the petitioner is also an accused in another case in Crime No.88 of 2019, which is for a commercial quantity, by the same respondent police, thereby, they have executed the warrant issued as against him on 10.06.2013. He would further submit that the petitioner was secured only after seven years. Hence, he would seek for dismissal and a direction to the concerned Trial Court to complete the trial as expeditiously as possible.

5.In view of the above submissions made by the learned Government Advocate (Crl. Side), this Court is not inclined to grant bail to the petitioner. However, a direction is issued to the learned Special Judge for EC Act cases, (FAC), Salem to complete the trial in C.C.No.13 of 2012 as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order.

6.With the above directions, this Criminal Original Petition stands dismissed.

-sd/-

16/10/2020

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 SPECIAL JUDGE FOR  
EC ACT CASES (FAC), SALEM.

2 THE SUPERINTENDENT,  
CENTRAL PRISON, SALEM.

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

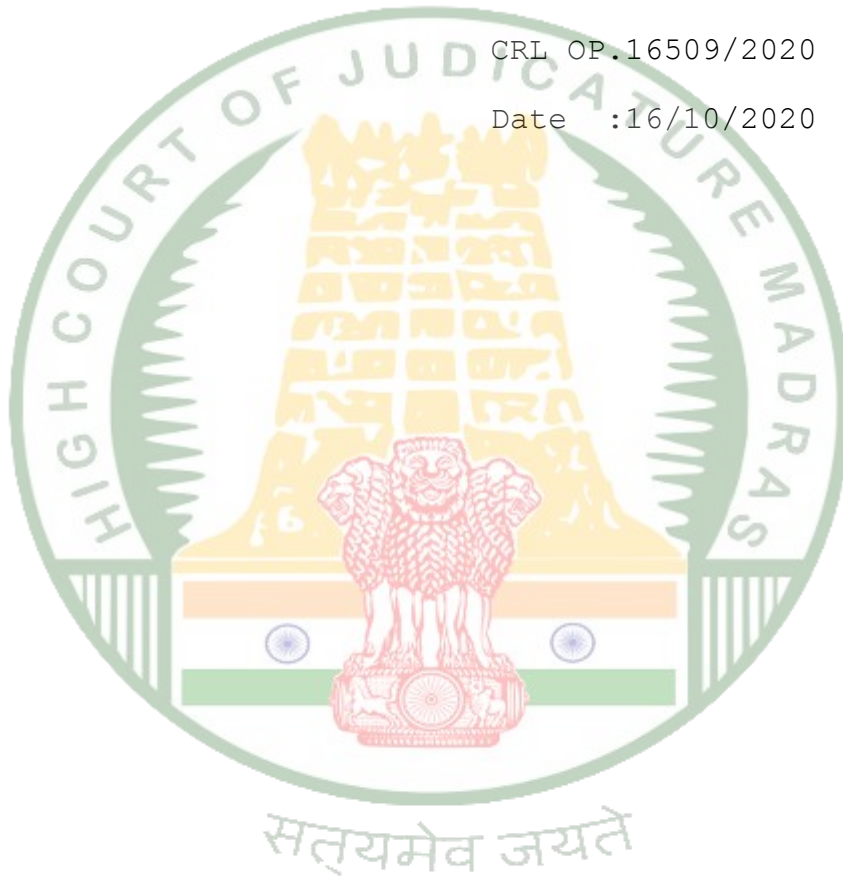
4 THE INSPECTOR OF POLICE,  
NIB CID, VELLORE DISTRICT.

+1 CC to M/S. M.VINOTH Advocate on payment of necessary charges  
SR.No.6956

CRL OP.16509/2020

Date :16/10/2020

cs 21/10/2020



WEB COPY