

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2020

CORAM

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

Crl.O.P.No.17417 of 2020

Sathish @ Pallu Sathish @ Sathish Kumar ... Petitioner

Vs.

State rep.by
The Inspector of Police,
Egmore Railway Police Station,
Chennai,
(Crime No.303 of 2016) ... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in S.C.No.108 of 2017 pending on the file of the XVIII Additional Sessions Judge, Chennai.

For Petitioner : Mr.M. Kaveri Selvam

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

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 307 r/w 120(b) of I.P.C in Crime No.303 of 2016.

2. The learned counsel appearing for the petitioner would submit that, as the petitioner was working as bonded labour he was unable to contact his counsel and hence, he was not able to appear on 03.08.2018, before the XVIII Additional Sessions Court, Chennai in respect of the case in S.C.No.108 of 2017 and hence, non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

3. The learned Additional Public Prosecutor would submit that the non bailable warrant has been issued against the petitioner on 03.08.2018 and the same is pending.

4. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned XVIII Additional Sessions Court, Chennai, within a period of two weeks from today and to file a petition to recall NBW already issued against him. On filing of such petition, the concerned learned Judicial Magistrate is directed to consider the same on merits and pass orders on the same day.

5. This criminal original petition is disposed of accordingly.

-sd/-

06/11/2020

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 XVIII ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
EGMORE RAILWAY POLICE STATION,
CHENNAI.

+1CC to M/S.M.KAVERI SELVAM Advocate on payment of
necessary charges SR NO.7447

CRL OP.17417/2020

Date :06/11/2020

MK:18/11/2020