

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.12.2020

CORAM :

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

CRL.O.P.No.18341 of 2020

G.Jagadeesh

.. Petitioner

-Vs

The State rep by
The Inspector of Police,
Hastampatty Police Station
Salem

.. Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Crl.P.C, to enlarge the petitioner on bail in S.C.No.131 of 2018 pending on the file of the learned Sessions Judge, Mahila Court, Salem.

For Petitioner : Mr.K.Nagendra Prasad

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 29.04.2019 for the offence punishable under Section 341, 392 read with 397 IPC, in S.C.No.131 of 2018, on the file of the learned Sessions Judge, Mahila Court, Salem, seeks bail.

2. It is a case of jumped bail. The petitioner did not appear before the trial Court in S.C.No.131 of 2018 on 01.09.2018 pursuant to which, Non Bailable Warrant of arrest was issued by the learned Sessions Judge, Mahila Court, Salem, and the petitioner was arrested on 29.04.2019.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested in some other case due to which, he was unable to appear before the Court and when he was in custody, the petitioner was produced on P.T. Warrant in this Case on 29.04.2019 and he has been in judicial custody for more than 1½ years. 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 of robbery out of which four cases are pending trial. He would submit that the petitioner did not appear before the Court on 01.09.2018. Thereby, the learned Magistrate issued Non Bailable Warrant pursuant to which, the petitioner was arrested on 29.04.2019. He would submit that there are 12 witnesses in this case out of which, 8 witnesses have been examined. Apart from this case, the petitioner is also facing trial in four other cases of similar nature and two other cases are pending trial and if bail is granted, there is every possibility of the petitioner absconding and it will derail the progress of trial. He would submit that a direction may be issued to the learned Sessions Judge to complete the trial in S.C.No.131 of 2018 within a reasonable time.

5. Taking into account that the petitioner is a habitual offender against whom there are 6 previous cases and that the case is at the stage of trial, this Court is not inclined to grant bail to the petitioner.

6. Further, direction is issued to the learned Sessions Judge, Mahila Court, Salem, to complete the trial in S.C.No.131 of 2018 preferably within a period of six months from the date of receipt of a copy of this order.

7. With the above observations, this Criminal Original Petition is disposed of.

-sd/-
07/12/2020

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

सत्यमेव जयते
TRUE COPY

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

TO

1 THE SESSIONS JUDGE,
MAHILA COURT, SALEM.

2 THE SUPERINTENDENT,
CENTRAL PRISON AT SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

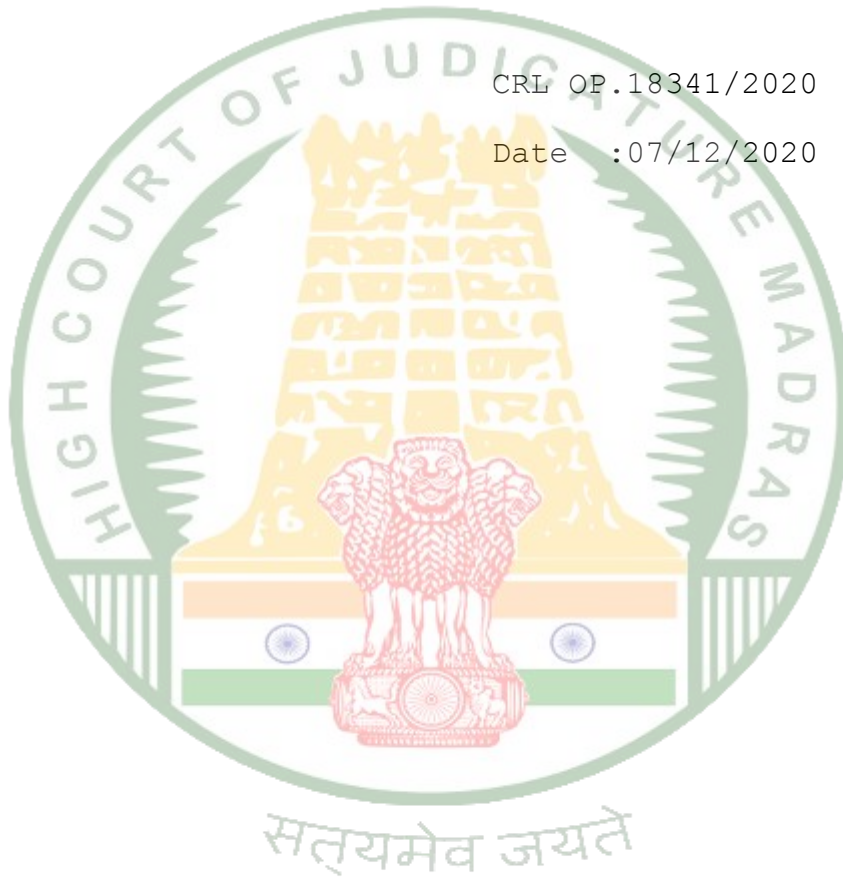
4 THE INSPECTOR OF POLICE,
HASTAMPATTY POLICE STATION,
SALEM.

+1 CC to M/S.K.NAGENDRA PRASAD Advocate on payment of necessary
charges SR.No.7957

CRL OP.18341/2020

Date :07/12/2020

cs 15/12/2020



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