

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.12.2020

CORAM :

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

CRL.O.P.Nos.19873 & 19878 of 2020

Vishnu

... Petitioner in both Crl.OPs

-Vs

The State, Rep by
Inspector of Police,
M-3, Kovilpalayam Police Station,
Coimbatore District.
(Crime Nos.245 of 2014 and 235 of 2014)

...Respondent in both Crl.OPs

COMMON PRAYER: Criminal Original Petitions filed under Section 439 of Crl.P.C, to enlarge the petitioner on bail in Crime Nos.245 of 2014 and 235 of 2014 respectively, pending on the file of the learned Judicial Magistrate No.2, Coimbatore.

For Petitioner
in both Crl.OPs. : Mr.M.Saravanakumar

For Respondent
in both Crl.OPs.: Mr.T.Shunmugarajeswaran
Government Advocate, (Crl. Side)

C O M M O N O R D E R

(These cases have been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 07.12.2019 for the offence punishable under Section 454 and 380 of IPC in Crime Nos.245 of 2014, 235 of 2014 respectively, in C.C.No.848 of 2014, on the file of the learned Judicial Magistrate No.2, Coimbatore, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 07.12.2019 pursuant to the Non Bailable Warrant of arrest issued by the learned Judicial Magistrate No.2, Coimbatore, in C.C.No.848 of 2014.

3.The learned counsel appearing for the petitioner would submit that this is the second application for bail. He would further submit that the petitioner has earlier filed bail applications before this Court in Crl.O.P.Nos.9943 of 2020 and batch and this Court, vide order dated 02.07.2020 had dismissed the same. Hence, he prays for grant of bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that it is a case of jumped bail. Since the petitioner did not appear before the Trial Court on 21.06.2018, the learned Trial Judge had issued Non Bailable Warrant of arrest, pursuant to which, the petitioner was produced on P.T Warrant when he was remanded to judicial custody in respect of crime No.65 of 2019, registered by the Sulthanpettai Police Station. He would further submit that apart from this case, the petitioner is also accused in other cases registered by the Sulur Police Station and by the Ulundurpet Police Station. He would further submit that on the previous occasion, this court had dismissed the bail application filed by the petitioner and issued a direction to the learned Judicial Magistrate No.2, Coimbatore, to complete the trial in all the 6 cases as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of the order. He would further submit that trial has not commenced so far.

5.It is seen that this Court while dismissing the earlier application for bail in Crl.O.P.No.9943 of 2020 and etc batch vide order dated 02.07.2020 had strictly directed the learned Judicial Magistrate No.2, Coimbatore, to complete the trial in all the above cases viz., C.C.Nos.960, 983, 847 and 848 of 2014 within a period of six months from the date of receipt of a copy of the order. However, it is submitted that the trial has not commenced so far.

6.In view of the above, the learned Judicial Magistrate No.2, Coimbatore is hereby directed strictly to complete the trial within a period of six months as directed by the earlier order dated 02.07.2020 in Crl.O.P.No.9943 of 2020. If the learned Judicial Magistrate is unable to complete the trial he shall send a report to the Registry, stating the reasons for not completing the trial as directed by this Court in the order dated 02.07.2020 in Crl.O.P.No.9943 of 2020.

7.With the above direction, this Criminal Original Petitions stand dismissed.

-sd/-

14/12/2020

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,
NO.II, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
M-3, KOVILPALAYAM POLICE STATION,
COIMBATORE DISTRICT.

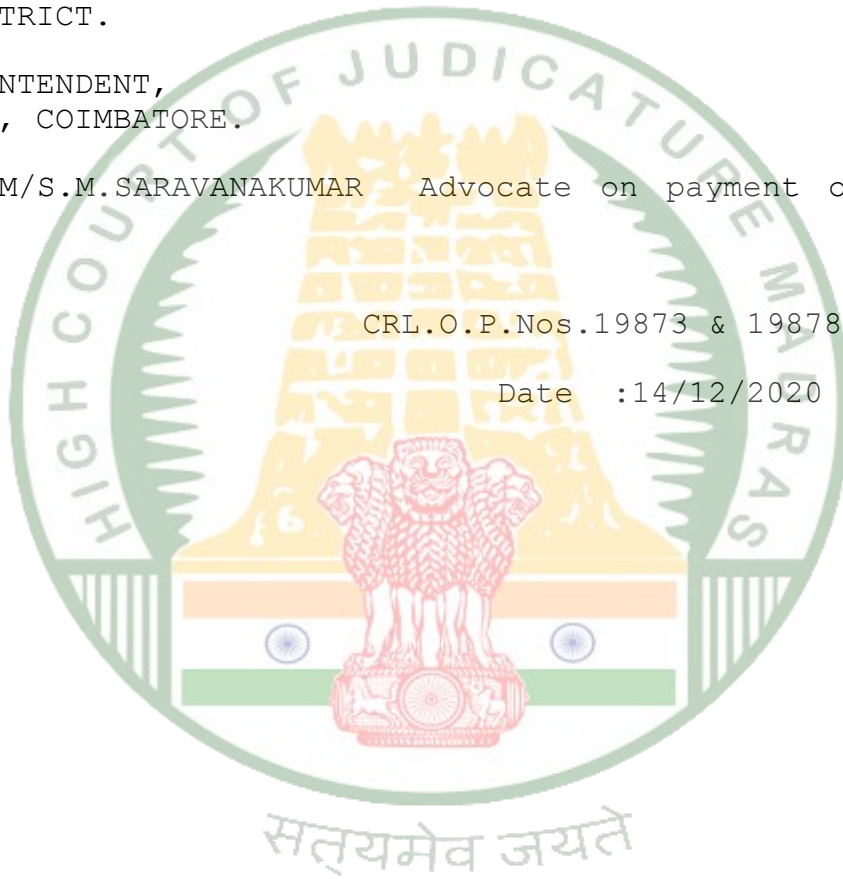
4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

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

CRL.O.P.Nos.19873 & 19878 of 2020

Date :14/12/2020

RVR 16/12/2020



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