

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.11.2020

CORAM :

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

CRL.O.P.No.17767 of 2020

Prakash

... petitioner

Vs.

State rep by
The Inspector of Police,
E-4 Abiramipuram Police Station,
Chennai.
(Crime No.1209 of 2014)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail pending investigation in S.C.No.184/2016 on the file of the respondent.

For petitioners: Mr.B.Banuchandar

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

ORDER

(The case has been heard through video conference)

The petitioners, who were arrested and remanded to judicial custody on 21.09.2020 for the offences punishable **under Sections 341, 323, 307, 506(ii) of IPC r/w 34 of IPC, in Crime No.1209 of 2014** on the file of the respondent police, seeks bail.

2.It is a case of jumped bail. The petitioner is A1 herein and facing trial in S.C.No.184 of 2016 on the file of the learned V Additional Sessions Court for the offences under Section 341, 323, 307, 506(ii) IPC r/w. 34 IPC. The petitioner did not appear before the Trial Court on 07.11.2019, due to which, the learned Trial Judge had issued NBW, pursuant to which, the petitioner was arrested on 21.09.2020 and he is in custody for the past one month.

3.The learned Government Advocate (Crl. Side) would vehemently oppose stating that it is the case of the year 2014 and the case is pending trial and has been taken on file in S.C.No.184 of 2016 on the file of the learned V Additional Sessions Judge, Chennai.

https://hcselc.courts.gov.in/ The case was going to commence, the petitioner has absconded

and did not appear before the Court, due to which, the learned Trial Judge had issued NBW and the petitioner was secured with very great difficulty after 10 months on 21.09.2020. He would further submit that most of the witnesses have been examined and the case now stands posted for examination of Investigating Officer alone, at this stage, if bail is granted to the petitioner, there is every chance of him getting absconded once again and derail the trial.

4.Taking into consideration of the facts and above submissions made by the learned Government Advocate (Crl. Side) that the petitioner has absconded from 07.11.2019 and that the case is at the stage of examination of Investigating Officer, this Court is not inclined to grant bail to the petitioner. However, a direction is issued to the learned V Additional Sessions Judge, Chennai to complete the trial in S.C.No.184 of 2016 as expeditiously as possible preferably within a period of four months from the date of receipt of a copy of this order.

5.With the above direction, this Criminal Original Petition stands dismissed.

-sd/-

20/11/2020

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 V ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE INSPECTOR OF POLICE,
E-4 ABIRAMIPURAM POLICE STATION,
CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

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

CRL OP.17767/2020

Date :20/11/2020

TA-14/12/2020

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