

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.17558 of 2020

C.Thangabalu

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Ethappur Police Station,
Salem District.
Cr.No.Not 380 of 2016

.... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in **(*)S.C.No.72 of 2017**
against in Crime No.380 of 2016 on the file of **(*)the Trial Court as
Additional District Sessions Court/F.T.C-II, Salem.**

For Petitioner : Mr.S.Jayakumar

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 alleged offences punishable under Sections
294 (b), 323, 324 & 307 of IPC to 294 (b), 323, 324 and 302 of IPC,
in Crime No.380 of 2016, on the file of the respondent police, seeks
anticipatory bail.

2. It is the case of jumped bail and issuance of Non Bailable
Warrant. The petitioner is the accused and facing trial in
(*)S.C.No.72 of 2017 pending on the file of **(*)the Trial Court as
Additional District Sessions Court/F.T.C-II, Salem.** Due to illness,
the petitioner could not appear before the trial Court on 03.10.2017
and the trial Court had issued Non Bailable Warrant against him.

3. The learned Additional Public Prosecutor would submit that
the petitioner is the second accused and he is facing trial in
(*)S.C.No.72 of 2017 on the file of **(*)the Trial Court as Additional
District Sessions Court/F.T.C-II, Salem** for the offence under
Sections 294 (b), 323, 324 and 302 of IPC. He would further submit
that when the trial was going on, the petitioner absconded.
Therefore, the trial Court has issued Non Bailable Warrant on
03.10.2017 and the warrant is pending for almost three years and the
option available to the petitioner is to surrender before the
concerned Court and file a petition to recall the warrant.

4. Taking into consideration of the facts and circumstances of the case, this Criminal Original Petition is closed with a direction to the petitioner to surrender before the concerned Court and to file necessary application for recalling the warrant and the learned Judge is directed to consider the same on merits of the case and pass orders in accordance with law on the same day.

-sd/-

09/11/2020

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.

**(*) AMENDED AS PER ORDER OF THIS COURT DATED
18/12/2020 MADE IN CRL.M.P.No.8139 OF 2020.**

TO

**(*) (1) The Trial Court as Additional District
Sessions Court/F.T.C-II, Salem**

2 THE JUDICIAL MAGISTRATE,
NO.I, ATTUR

3 THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE, SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
ETHAPPUR POLICE STATION,
SALEM DISTRICT.

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

CRL OP.17558/2020

Date :09/11/2020

RVR 01/12/2020

RVR 04/01/2021