

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.18025 of 2020

Rasu @ Pottu rasu

... Petitioner

Vs.

The State of Tamil Nadu

... Respondent

Rep. by Inspector of Police
Nallipalayam Police Station,
Namakkal District.

Crime No.506 of 2001.

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner in the Sessions Case No.132 of 2018 before the learned Additional District Judge in Crime No.506 of 2001 on the file of the respondent.

For Petitioner : Mr.G.Gokul

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Cr1.Side)

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 06.07.2020 for the offences punishable under **Sections 449 read with Sections 34, 307 read with 34, 302 read with 34 & 397 read with 34 of IPC** in Crime No.506 of 2001, on the file of the respondent police, seeks bail.

2. It is a case of jumped bail. The petitioner is arrayed as 3rd accused in this case and facing trial in SC.No.132 of 2018 along with six other accused. Since, the petitioner did not appear before the Court on 27.01.2020, the learned trial Magistrate, issued NBW against the petitioner pursuant to which, the petitioner was arrested on 06.07.2020.

3. The learned Counsel for the petitioner would submit that due to illness, the petitioner was unable to appear on 27.01.2020 before the lower Court and thereby, NBW was against the petitioner pursuant to which, the petitioner was arrested on 06.07.2020. Hence, he seeks

for grant of bail.

4. The learned Government Advocate (Crl. Side) would submit that it is a case of the year 2001 registered in Crime No.506 of 2001. He would submit that there are seven accused in this case and the accused were taking turn in absenting themselves one after another and after a great difficulty, the case has been committed to the Court of Sessions in S.C.No.132 of 2018 on the file of the Additional District Judge, Namakkal. He would further submit that one of the accused in this case has been absconding and thereby, the case against him has been split up in SC.No.18 of 2019. He would further submit that the case is now at the fag end of trial and if, bail is granted at this stage, it would derail the progress of trial. Hence, he vehemently opposed for grant of bail.

5. Taking into consideration the above facts and submissions, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

11/11/2020

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 ADDITIONAL DISTRICT JUDGE,
NAMAKKAL.

2 THE INSPECTOR OF POLICE,
NALLIPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

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

CRL OP.18025/2020

Date :11/11/2020

TA-01/12/2020

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