

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2020

CORAM :

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

CRL.O.P.No.17672 of 2020

Anbu @ Anbazhagan

... Petitioner

Vs.

State Rep by:-

The Inspector of Police,
Uthukottai Police Station,
Tiruvallur District.
(Crime No.420 of 2018)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.420 of 2018 on the file of the respondent police.

For Petitioner : Mr.S.Deivasigamani

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

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 20.07.2020 for the offences punishable under Sections 147, 148, 342, 302, 201 of IPC r/w 120B r/w 149 of IPC in Crime No.420 of 2018 on the file of the respondent police, seeks bail.

2. It is the case of jumped bail. The petitioner, who is an accused in PRC No.2 of 2019 pending on the file of the learned Judicial Magistrate, Uthukottai, did not appear before the Court and thereby, Non-Bailable Warrant has been issued on 06.09.2019, pursuant to which, the petitioner was arrested and remanded to judicial custody on 20.07.2020.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would submit that without any summons being issued to him, the petitioner was arrested and remanded to judicial custody.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that it is the case registered in Crime No.420 of 2018 for the offence under Section 302 of IPC. He would submit that the petitioner was initially granted bail and thereafter, he did not appear before the Court and that he has also involved in four previous cases. Since the petitioner was evading summons pursuant to the warrant issued on 06.09.2019, the petitioner was arrested on 20.07.2020 after a great difficulty. He would further submit that if the petitioner is granted bail, it will derail the further progress of the trial. He would submit that after the issuance of Non Bailable Warrant on 06.09.2019, the petitioner got himself involved in a case in Crime No.810 of 2020 registered by the Adambakkam Police Station for the offence under Sections 341, 294(b), 392, 307 and 397 of IPC and later, he was produced on PT warrant. He would submit that there are four previous cases against the petitioner and that if the petitioner is granted bail, there is every possibility of the petitioner absconding and thereby, delaying the committal progress. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner is involved in four cases, this Court is not inclined to grant bail. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

10/11/2020

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 INSPECTOR OF POLICE,
UTHUKOTTAI POLICE STATION,
TIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

+1 CC to M/S S.DEIVASIGAMANI Advocate on payment of necessary charges SR.NO.7501

CRL OP.17672/2020

Date :10/11/2020

TA-20/11/2020

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