

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.18226 of 2020

Boopalan @ Boopathi

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
S-10, Pallikaranai Police Station,
Chennai - 600 100.
Cr.No.Not 676 of 2009

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of arrest by the respondent police in S.C.No.86 of 2010 pending on the file of the learned Additional District Sessions Judge, Chengalpet.

For Petitioner : Mr.C.Mohanraj

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 148, 149, 341, 302 of IPC r/w. 109 of IPC in S.C.No.86 of 2010 on the file of the learned Additional District Judge, Chengalpet, seeks anticipatory bail.

2. It is the case of jumped bail and issuance of Non Bailable Warrant. The petitioner is the accused/A4 and facing trial in S.C.No.86 of 2010 pending on the file of the learned Additional District Judge, Chengalpet.

3. The learned counsel for the petitioner would submit that due to illness, the petitioner could not appear before the trial Court on 25.09.2018 and the trial Court had issued Non Bailable Warrant against him.

4. The learned Additional Public Prosecutor would submit that the petitioner is the fourth accused and he is facing trial in S.C.No.86 of 2010 on the file of the learned Additional District Judge, Chengalpet for the offence under Sections 148, 149, 341, 302 of IPC r/w. 109 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 25.09.2018 and the warrant is pending for the past two years and it is open to the petitioner to surrender before the concerned Court and recall the warrant.

5. Taking into consideration of the facts and circumstances of the case, this Criminal Original Petition is disposed of with a direction to the petitioner to surrender before the concerned Court and file application to recall warrant and on such application being filed the learned Judge is directed to consider the same and pass orders on the basis of merits of the case and in accordance with law.

-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 ADDITIONAL DISTRICT JUDGE,
CHENGALPATTU

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE
S-10 PALLIKARNAI POLICE STATION,
CHENNAI

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

CRL OP.18226/2020

Date : 20/11/2020

RVR 10/12/2020

WEB COPY