

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.18555 of 2020

Rajkumar @ Thoppi Raja

... Petitioner

Versus

State Rep.by

The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

... Respondent

(Crime No.1165 of 2012)

PRAYER: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in connection with S.C.No.242 of 2103 pending trial before the XIX-Additional Sessions Court, Chennai in Crime No.1165 of 2012.

For Petitioner : Mr.J.F.Prakash

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 offences punishable under Sections 341, 294(b), 324 and 307 of IPC in Crime No.1165 of 2012 on the file of the respondent police in SC.No.242 of 2013 on the file of the learned XIX-Additional Sessions Judge, Chennai, seeks anticipatory bail.

2. The learned counsel appearing for the petitioner would submit that on 07.03.2015, since he was arrested in another case he could not engage any advocate for this case, hence, he petitioner was not able to appear before the learned XIX-Additional Sessions Judge, Chennai, in respect of the case in SC.No.242 of 2013, for his non-appearance, a non bailable warrant has been issued against the petitioner. He would further submit that the absence of the petitioner is neither wilful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

3. The learned Additional Public Prosecution would submit that the non bailable warrant has been issued against the petitioner on 05.10.2020 and the same is pending.

4. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned XIX-Additional Sessions Judge, Chennai, within a period of two weeks from today and to file a petition to recall NBW already issued against him. On filing of such petition, the concerned learned Judge is directed to consider the same on merits and pass orders on the same day.

5. This criminal original petition is disposed of accordingly.

-sd/-

07/12/2020

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 XIX ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE, सत्यमेव जयते
K-3, AMINJIKARAI POLICE STATION,
CHENNAI.

CC to M/S.J.F.PRAKASH Advocate on payment of necessary charges

CRL OP.18555/2020

Date :07/12/2020

cs 14/12/2020