

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.19340 of 2020

Manikkam

... Petitioner

Vs.

The State of Tamilanadu represented by
Inspector of Police
Tiruppur Central Police Station
Tiruppur
(Crime No.310 of 2017)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in S.C.No.111 of 2017 on the file of the II Additional District and Sessions Court, Tiruppur.

For Petitioner : Mr.K.S.Karthik Raja

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 16.12.2019 for the offence punishable under Section 302 of IPC, in Crime No.310 of 2017 on the file of the respondent police, seeks bail.

2. It is a case of jumped bail. The petitioner is the first accused facing trial in S.C.No.111 of 2017. Since, the petitioner did not appear before the Court on 01.11.2019, the Trial Court issued NBW against the petitioner pursuant to which, the petitioner was arrested on 16.12.2019.

3. The learned counsel for the petitioner would submit that the petitioner was unable to appear before the Court on 01.11.2019 thereby, the Court issued NBW against the petitioner pursuant to which, he was arrested on 16.12.2019 and that he has been suffering incarceration for the period of one year. Hence, he prays for grant of bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the case is of the year 2017. Since, the petitioner did not appear before the Court on 01.11.2019, the trial court issued NBW against the petitioner and the petitioner was arrested on 16.12.2019 on execution of NBW. He would further submit that the evidence on both sides has been closed and the case is now posted to 22.12.2020 for arguments. If bail is granted at this stage, there is every possibility of the petitioner getting absconded which would cause further delay in the progress of trial.

5. Taking into account that the Sessions Case is of the year 2017 and now the case is posted on 22.12.2020 for arguments, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
14/12/2020

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 II ADDITIONAL DISTRICT AND SESSIONS COURT,
TIRUPPUR.

2 THE INSPECTOR OF POLICE,
TIRUPPUR CENTRAL POLICE STATION,
TIRUPPUR DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

+1 CC to M/S.K.S.KARTHIK RAJA Advocate on payment of necessary charges SR NO.8208

CRL OP.19340/2020

Date :14/12/2020

MN-04/01/2021

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