

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2020

CORAM :

THE HON'BLE Mr. JUSTICE V.SIVAGNANAM

CRL.O.P.No.20928 of 2020

Prabhu

... Petitioner

Vs.

The State rep by,
The Inspector of Police, (Crime)
K-6, T.P. Chatiram Police Station,
Chennai.
(Crime No.655 of 2016)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge bail in the event of arrest of the petitioner pursuant to the Non Bailable Warrant issued in C.C.No.6802 of 2016 on the file of the Hon'ble V Metropolitan Magistrate Court, Egmore, Chennai in Crime No.655 of 2016 on the file of the respondent.

For Petitioner : Mr.C.Manikandan

For Respondent : Mr.L.Charles Premkumar
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 11.11.2020 for the offence punishable under Section 341, 294(b), 324 and 506(i) of IPC, in C.C.No.6802 of 2016 in Crime No.655 of 2016 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai, seeks bail.

2. It is a case of jumped bail. The petitioner is the accused in C.C.No.655 of 2016, pending on the file of the learned V Metropolitan Magistrate, Egmore, Chennai. It is a case of the year 2016, since the petitioner did not appear before the Court on 07.09.2018, the learned V Metropolitan Magistrate had issued Non Bailable Warrant (NBW) of arrest, pursuant to which, the petitioner was arrested and remanded to judicial custody on 11.11.2020.

3. The learned counsel appearing for the petitioner would submit that the petitioner was unable to appear before the Court on

07.09.2018 due to illness, thereby, the learned trial judge had issued NBW of arrest against him, pursuant to which, the petitioner was arrested on 11.11.2020 and he is in custody for more than 45 days and hence, he seeks for bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would vehemently oppose stating that it is a jumped bail and the case is of the year 2016. The petitioner did not appear before the Court on 07.09.2018, thereby, the learned Magistrate had issued NBW of arrest against him and the petitioner was arrested on 11.11.2020 with very great difficulty. He would further submit that the case is pending trial and at this stage, if the bail is granted to the petitioner, there is every chance of him getting absconded and it would be difficult to proceed the case. He would further submit that all the witnesses have been examined and hence, he prays for dismissal of the petition.

5. Considering the fact that the petitioner not obeyed the bail the case is pending trial, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

30/12/2020

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 V METROPOLITAN MAGISTRATE
COURT, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE (CRIME),
K-6 T.P CHATIRAM POLICE STATION,
CHENNAI.

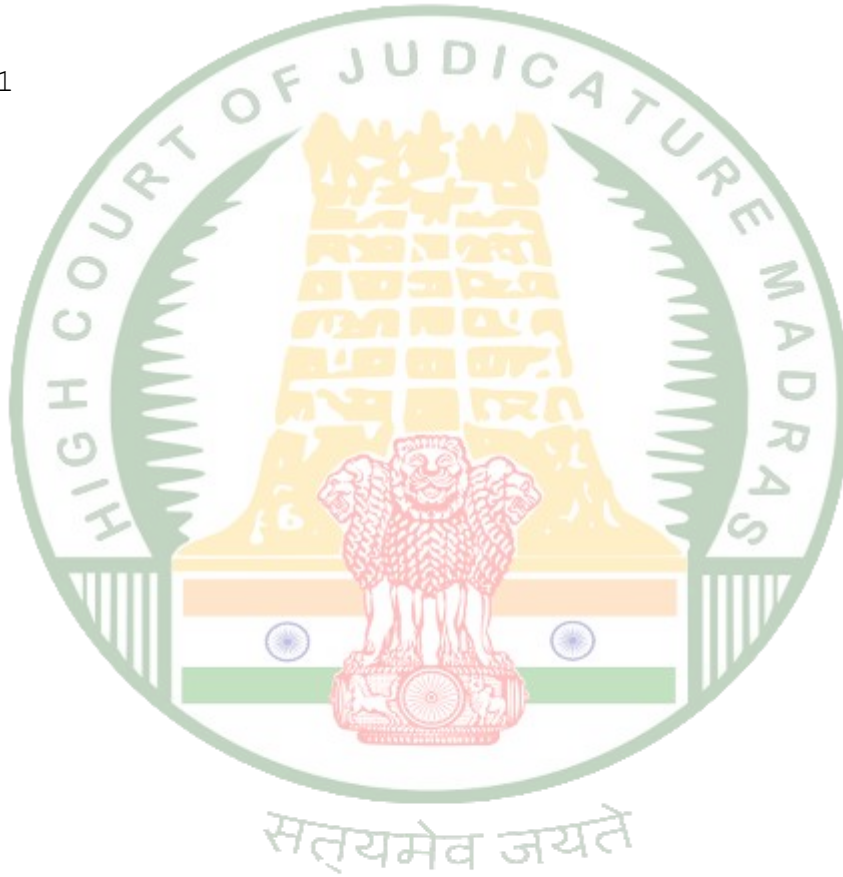
5 THE SUPERINTENDENT,
CENTRAL PRISON-II, PUZHAL.

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

CRL OP.20928/2020

Date :30/12/2020

MN-07/01/2021



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