



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2020

PRESENT

WEB COPY

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7555 of 2020

D.Karuppasamy ... Petitioner/SoLE Accused

Vs

State: Inspector of Police,
Sattur Police Station,
Virudhunagar District
Cr No.416/2014 in CC 68/2015. ... Respondent/Complainant

For Petitioner : M/s.Ka.Raamakrishnan, Advocate
For Respondent : Mr.M.Chandrasekaran,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

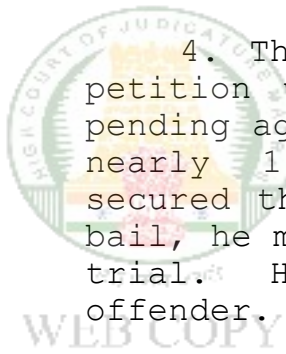
For Bail in Crime No.416 of 2014 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused herein was arrested and remanded to judicial custody on 03.03.2020 for the alleged offence under Section 392 of IPC.

2. Earlier the petitioner was arrested and released on bail. Thereafter the petitioner did not appear before the trial Court , hence Non Bailable Warrant was issued. The petitioner was arrested on execution of Non Bailable Warrant on 03.03.2020.

3.The learned counsel for the petitioner would submit that the petitioner is regularly appearing before the trial Court on all hearing dates and due to some unavoidable circumstance he was unable to appear before the trial Court, due to which Non Bailable Warrant came to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 03.03.2020. He would also submit that earlier the petitioner was detained under Goondas Act and he is not involved in the above case.



4. The learned Additional Public Prosecutor opposing the bail petition would submit that several cases of similar nature are pending against the petitioner and the petitioner is absconding for nearly 1 ½ year and with much difficulty the respondent police secured the petitioner. Further, if the petitioner is released on bail, he may abscond again and there will not be any progress in the trial. He would also submit that the petitioner is a habitual offender.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner is a habitual offender and also having several previous cases of similar nature and if the petitioner is released on bail he will abscond again and there will not be any progress in the trial and also the fact that the petitioner was secured after 1 ½ years, this Court is not inclined to grant bail to the petitioner.

6. Hence the petition stands dismissed.

sd/-
24/07/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE
SATTUR POLICE STATION,
VIRUDHUNAGAR DISTRICT

2 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) No.7555 of 2020
Date :24/07/2020

SMA/RSK/SAR-II/27/07/2020/2P/4C

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