



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 07/09/2020

WEB COPY

PRESENT

**The Hon'ble Mr.Justice V.BHARATHIDASAN**

CRL OP(MD). No.9419 of 2020

Rajkumar

... Petitioner/sole Accused

**Vs**

The State Rep. by  
The Inspector of Police,  
Patteswaram Police Station,  
Thanjavur District.  
(Crime No. 07 of 2012).

... Respondent/Complainant

For Petitioner : Mr.B.Jameelarasu,  
Advocate.

For Respondent : Mr.K. Suyambulinga Bharathi,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

**PRAYER :-**

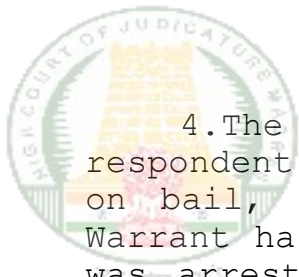
For a Bail in Crime No. 07 of 2012 on the file of the respondent police

**ORDER :** The Court made the following order :-

The petitioner/sole accused herein was arrested and remanded to judicial custody on 16.01.2020 for the alleged offences under Sections 120(b), 147, 148, 109, 341 and 302 of IPC r/w Section 149 of IPC, in Crime No.07 of 2012 on the file of the respondent police, seeks bail.

2.Earlier this petitioner was released on bail, subsequently, due to non appearance of the petitioner before the trial Court, Non Bailable Warrant has been issued against him on 16.01.2020. In the mean time, on 07.02.2020 PT warrant has been issued in another case in crime No.10 of 2020 and on the same day the petitioner has been arrested and remanded to judicial custody. Hence, the present petition has been filed.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police.



4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that earlier the petitioner was released on bail, due to non appearance of the petitioner, Non Bailable Warrant has been issued against him on 16.01.2020, subsequently, he was arrested and remanded to judicial custody in another case in crime No.10 of 2020, on 07.02.2020. He further submitted that during the trial, the accused absconding one after another, due to which, the trial is pending from the year 2012. That apart the petitioner is having two previous cases, out of which, one is NDPS case and another is for the offence under Section 399 of IPC.

5.Considering the above facts and circumstances of the case and also considering the rival submissions on either side and the fact that the case is pending for more than eight years, due to non appearance of the petitioner/accused before the trial Court. That apart the petitioner is having bad antecedents and hence, if the petitioner released on bail, he is likely to abscond again. Hence, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

07/09/2020

/ 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 SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.
2. THE INSPECTOR OF POLICE,  
PATTESWARAM POLICE STATION,  
THANJAVUR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER

IN

CRL OP(MD) No.9419 of 2020

Date :07/09/2020