



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2020

WEB COPY

PRESENT

The Hon'ble Mr. Justice S.M.SUBRAMANIAM

CRL OP(MD). No.12907 of 2020

Durai Murugan

... Petitioner/Accused

Vs

The State rep. by
The Inspector of Police,
Anjugramam Police Station, Nagercoil.
(In Crime No.451/2011).

... Respondent/Complainant

For Petitioner : M/s.S.Panneerselvan, Advocate.

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

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

PRAYER :- For Bail in Crime No.451 of 2011 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused herein was arrested through PT Warrant and remanded to judicial custody on 07.03.2018. The case against him is for the offences punishable under Section 397 of IPC, in S.C.No.161 of 2019 in Crime No.451 of 2011, on the file of the Principal Sessions Court, Kanyakumari District at Nagercoil. He seeks bail.

2.The learned counsel appearing for the petitioner made a submission that the petitioner has to look after his family and his aged parents and he has not involved in any offence and therefore, he should be released on bail.

3.The learned Government Advocate (Criminal Side) objected the petition by stating that the case was registered in the year 2011 and for the offence of robbery and the petitioner/accused was absconding for long years and finally on 11.08.2016, Non-Bailable Warrant was issued by the learned Judicial Magistrate and the police with great struggle arrested the accused only on 07.03.2018. The petitioner was arrested earlier and lodged in prison on account of some other case. Thus, the petitioner is facing not the present



case alone and five previous cases are pending against the petitioner. When the petitioner was absconded for long years and the police even after the issuance of Non-Bailable Warrant found difficult to trap the petitioner/accused, there is a likelihood of fleeing again and now the trial is to be commenced.

4. Under these circumstances, it is not preferable to release the petitioner on bail and the petitioner has to face the trial and the Court concerned is requested to expedite the trial and dispose of the same.

5. With these observations, the petition for bail stands dismissed.

sd/-
11/11/2020

/ 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 PRINCIPAL SESSIONS JUDGE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
3. THE INSPECTOR OF POLICE,
ANJUGRAMAM POLICE STATION, NAGERCOIL.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC to M/s.S.PANNEERSELVAN, Advocate (SR-7448[I] dated 11/11/2020)

ORDER
IN
CRL OP(MD) No.12907 of 2020
Date :11/11/2020

SJI
SRS/AKM/SAR-III/20.11.2020/2P/6C

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