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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/12/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.14314 of 2020

Udhaya Prakash

... Petitioner/Accused No.4

Vs

The State rep.by
The Inspector of Police,
Madukkur Police Station,
Thanjavur District,
Crime No. 127/2014.

... Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran,
Advocate.

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

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

PRAYER :-

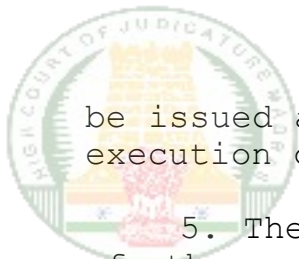
For Bail in crime No. 127 of 2014 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4 herein was arrested and remanded to judicial custody on 10.10.2020 for the alleged offence under Sections 147,148 and 302 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 on 22.07.2019. The petitioner was arrested on execution of Non Bailable Warrant on 10.10.2020

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 his ill health 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 10.10.2020.

5. The case is of the year 2014 and due to the non- appearance of the petitioner the case is pending committal . Though the respondent police completed investigation and filed final report it is pending committal in PRC No. 46 of 2014 on the file of the learned Judicial Magistrate, Pattukottai and Non Bailable Warrant is also pending against another accused. This is the second Non Bailable Warrant and the earlier Non Bailable Warrant was issued on 19.02.2016 and it was also recalled. Only because of the absence of the petitioner the trial Court is unable to commit the case to the Court of Sessions and the case is pending from the year 2014, hence this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-
08/12/2020

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/ /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 OFFICER INCHARGE,
DISTRICT JAIL, PUDUKOTTAI.
- 2 THE INSPECTOR OF POLICE,
MADUKKUR POLICE STATION,
THANJAVUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.14314 of 2020
Date :08/12/2020

AAV

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