

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.03.2021

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3910 of 2021

Raja @ Rajarathinam

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Anupparpalayam Police Station,
Tiruppur,
(Crime No.623 of 2014)

.. Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, to release the petitioner in connection with Non Bailable Warrant issued against him in S.C.No.24 of 2020 on the file of the learned Principal District Judge, Tiruppur.

For Petitioner : Mr.P.Raj Kumar

For Respondent : Mr.C.Iyyappa Raj
Additional Public Prosecutor

O R D E R

The petitioner has been arrested pursuant to the Non Bailable Warrant issued by the learned Principal District Judge, Tiruppur in S.C.No.24 of 2020 in Crime No.623 of 2014 for the offence punishable under Sections 364, 302, 379 and 201 r/w 109 IPC. The Non Bailable Warrant was issued by the Court on 23.12.2019 and the same was executed on 04.03.2020.

2. It is a case of jumped bail. The petitioner was originally enlarged on bail and thereafter, he did not appear before the Court. Thereby, the learned trial Judge had issued Non Bailable Warrant (NBW) against the petitioner on 10.04.2018 pursuant to which, the petitioner was produced on P.T. Warrant on 04.02.2019 while he was in custody in yet another case.

3.The learned counsel appearing for the petitioner would submit that this is the fourth application for bail. The earlier applications for bail were dismissed by this Court vide Crl.O.P.No.9550 of 2020 dated 26.06.2020, Crl.O.P.No.3910 of 2021 dated 23.09.2021 and Crl.O.P.No.17745 of 2020 dated 10.11.2020 and that the petitioner has been suffering incarceration for more than two years. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that this Court taking into consideration the long abscondence of the petitioner and also taking into consideration the antecedents of the petitioner, had dismissed the earlier applications filed by the petitioner. He would submit that the petitioner is involved in cases of house breaking and robbery and that 10 cases are pending against him. He would further submit that the as of now, the present case stands posted on 03.03.2021 for framing charges and there are 19 witnesses in this case and if, time frame is fixed, the respondent will be able to complete the trial at the earliest. He would submit that the other accused against whom there are several cases pending are also still in custody. Hence, he would vehemently oppose for grant of bail.

5. In view of the above submissions made by the learned Additional Public Prosecutor and also considering the antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. However, a direction is issued to the learned Principal District Judge, Tiruppur, to complete the trial in S.C.No.24 of 2020 as expeditiously as possible preferably within a period of four months from the date of receipt of a copy of this order.

7. This Criminal Original Petition stands disposed of accordingly.

-sd/-

01/03/2021

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 PRINCIPAL DISTRICT JUDGE,
TIRUPPUR.

2 THE SUPERINTENDENT,
CENTRAL JAIL, COIMBATORE.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

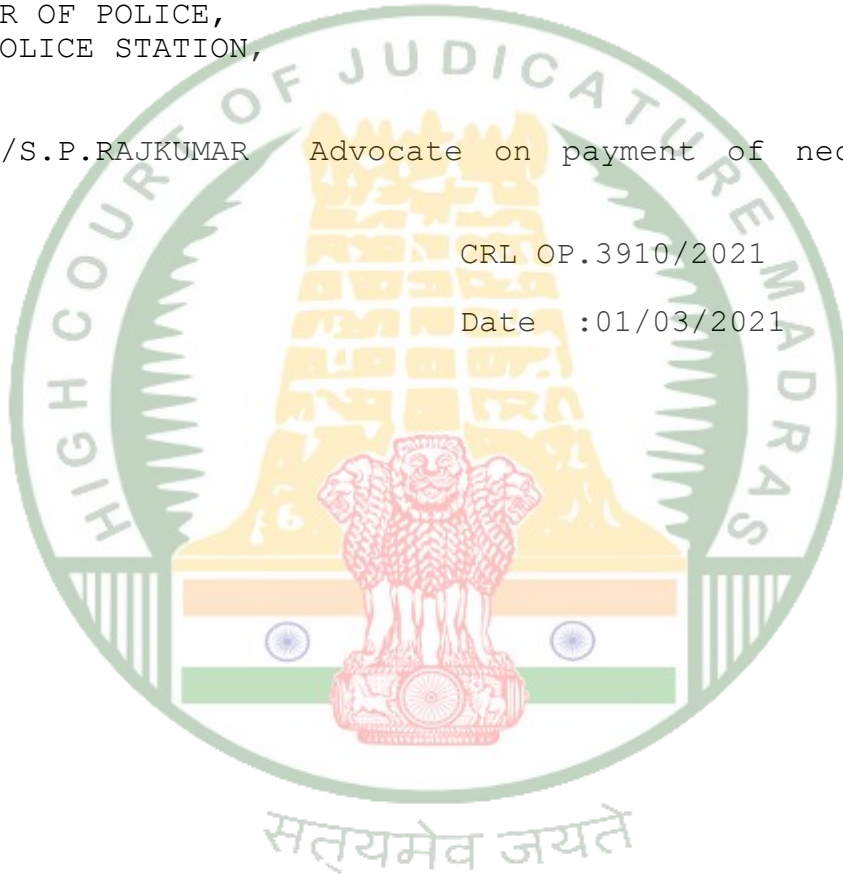
4 THE INSPECTOR OF POLICE,
ANUPPARPALAYAM POLICE STATION,
TIRUPPUR.

CC to M/S.P.RAJKUMAR Advocate on payment of necessary
charges

CRL OP.3910/2021

Date :01/03/2021

MK:16/03/2021



WEB COPY