

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.No.1488 of 2021

V.Saravnan

.. Petitioner

Vs.

State represented by

Inspector of Police,

K.4, All Women Police Station,

Anna Nagar, Chennai.

.. Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code praying to enlarge the petitioner on bail in the event of his arrest pending in S.C.No.172 of 2018 on the file of the Mahila Court (POCSO Act), Chennai.

For Petitioner : Mr.R.Suresh

For Respondent : Mr.S.Karthikeyan

Addl. Public Prosecutor

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O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 4 of POCSO Act and Section 506(i) of IPC in S.C.No.172 of 2018 on the file of the Mahila Court (POCSO Act), seeks anticipatory bail.

2. It is a case of jumped bail. The petitioner is facing trial in S.C No.172 of 2018 on the file of the Mahila Court (POCSO Act), Chennai. Since he did not appear before the trial Court on 18.02.2020, the trial Judge issued Non Bailable Warrant against the petitioner and pursuant to which, the petitioner has approached this Court seeking for anticipatory bail.

3. The learned counsel for the petitioner would submit that due to COVID 19 illness, the petitioner did not appear before the Court on 18.02.2020 and thereby, the trial Court has issued NBW. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed stating that the petitioner in this case is facing trial in S.C No.172 of 2018 for the offence under Section 4 of POCSO Act and Section 506(i) of IPC. He would further submit that the case is of the year 2018 and since the petitioner did not appear before the trial Court on 18.02.2020, the trial Judge issued NBW against the petitioner and the petitioner is absconding since then. He would further submit that due to his absence, there is no progress in the trial. He would further submit that it is open to the petitioner to surrender before the concerned Court and file a petition for recalling the NBW.

5. In view of the above, this Criminal Original Petition stands closed with a direction to the petitioner to surrender before the Mahila Court (POCSO Act), Chennai and file an appropriate petition for recalling the non-bailable warrant and the learned trial Judge shall consider the petition and pass orders on merits, on the same day.

-sd/-

15/02/2021

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 MAHILA COURT (POCSO ACT),
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
K4 ALL WOMEN POLICE STATION,
ANNA NAGAR, CHENNAI.

CC to M/S. R.SURESH Advocate on payment of necessary charges

CRL OP.1488/2021

Date :15/02/2021

MK:01/03/2021