

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Third day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.2497 of 2021

C.C.NO.513 OF 2015

(ON THE FILE OF THE JUDICIAL MAGISTRATE, ALANDUR)

S.VEERA JAGADESAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
S-9, PALAVANTHANGAL POLICE STATION,
CHENNAI.

For Petitioner : M/S.C.K.M.APPAJI Advocate

For Respondent : MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 448, 341, 294(b), 387, 201, 506(ii) r/w 34 of IPC in C.C.No.513 of 2015 on the file of the learned Judicial Magistrate, Alandur, seeks anticipatory bail.

2. It is a case of jumped bail. The petitioner is facing trial in C.C.No.513 of 2015 on the file of the learned Judicial Magistrate, Alandur. Since he did not appear before the trial Court, the trial Judge issued Non Bailable Warrant (NBW) 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 since the petitioner did not appear before the trial Court, 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 are facing trial in C.C.No.513 of 2015 for the offences under Sections 448, 341, 294(b), 387, 201, 506(ii) r/w 34 of IPC. He would further submit that the case is of the year 2015 and since the petitioner has not appeared before the trial Court, 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 learned Judicial Magistrate, Alandur, 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/-
23/02/2021

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 JUDICIAL MAGISTRATE,
ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
S-9, PALAVANTHANGAL POLICE STATION,
CHENNAI.

+1 CC to M/S.C.K.M.APPAJI Advocate on payment of necessary charges SR.NO.2280

CRL OP.2497/2021

Date :23/02/2021