

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Nineteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.7216 of 2021

IN

S.C.NO.244 OF 2013

(ON THE FILE OF THE ADDITIONAL DISTRICT JUDGE AT CHENGALPATTU,
CHENGALPATTU DISTRICT)

S.VENKATESAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ANAICUTTU POLICE STATION,
CHENGALPATTU DISTRICT
CR NO.373/2011

[RESPONDENT]

For Petitioner : M/S.D.BALAJI Advocate

For Respondent : MR. R.ANEESAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 14.02.2019 for the offence punishable under Sections 302 and 404 I.P.C. in S.C.No.244 of 2013 on the file of the learned Additional District Judge at Chengalpattu, Kancheepuram District related to Crime No.373 of 2011 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 09.08.2017, the petitioner did not appear before the learned Additional District Judge, Chengalpattu for hearing as such on 09.08.2017, NBW was issued against the petitioner, pursuant to which he was arrested and remanded to judicial custody on 14.02.2019.

3.The learned counsel appearing for the petitioner would submit that only due to illness the petitioner could not appear before the court below. He further submits that the petitioner is ready to abide by any condition imposed by this Court. Hence, he seeks for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that already the petitioner filed bail petition before this Court in Crl.OP.No.21796 of 2019 and this Court by order dated 13.08.2019 dismissed the same. He further submitted that the trial was already commenced and the case is now posted for cross examination of Investigation Officer. Further, there is no change of circumstances in this case. Therefore, he vehemently opposed to grant bail to the petitioner.

5.It is seen that already this Court dismissed the earlier bail petition. Now the trial has been commenced and the case is posted for cross examination of Investigation Officer. Considering that there is no change of circumstances in this case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

-sd/-

19/04/2021

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 ADDITIONAL DISTRICT JUDGE AT CHENGALPATTU,
KANCHEEPURAM DISTRICT

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

3 THE INSPECTOR OF POLICE,
ANAICUTTU POLICE STATION,
CHENGALPATTU DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.BALAJI Advocate on payment of necessary charges

CRL OP.7216/2021

Date :19/04/2021

RVR 24/06/2021