

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Third day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7589 of 2021

IN P.R.C.NO.8 OF 2016

[ON THE FILE OF JUDICIAL MAGISTRATE NO.I, CHENGALPATTU]

NITHIYA @ NITHIYANANDA

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
CHENGALPATTU TOWN POLICE STATION,
(CR.NO.144/2014)

For Petitioner : M/S.T.GNANA BANU Advocate

For Respondent : THE PUBLIC PROSECUTOR

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 24.02.2021 for the alleged offences punishable under Sections 147, 148, 120B, 302 IPC r/w 3, 4 of Arms Act, in PRC No.8 of 2016 on the file of the Judicial Magistrate No.I, Chengalpattu. seeks bail

2. It is the case of brutal murder. Since, the petitioner has not appear before the Court, NBW was issued and on the execution of NBW, this petitioner was secured. Further, for the past 5 years the petitioner was absconded.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the summon was not served on the petitioner hence, he is not known to the date of hearing of the case. Hence, he could not appear before the learned Magistrate when the case is called. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are five previous cases pending as against the petitioner. She would further submit that the petitioner is a history sheeter. Hence, she vehemently opposed grant of bail to the petitioner.

5. Considering the fact that there five previous cases pending against the petitioner, which reveals that the petitioner is a history sheeter in such circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
23/04/2021

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 THE JUDICIAL MAGISTRATE,
NO.I, CHENGALPATTU.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAI, CHENNAI.

3 THE INSPECTOR OF POLICE,
CHENGALPATTU TOWN POLICE STATION.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.GNANA BANU Advocate on payment of necessary charges

CRL OP.7589/2021

Date :23/04/2021

cs 28/06/2021