



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.No.9642 of 2021

Appunu @ Jayakumar

... Petitioner

Vs.

State represented by
The Inspector of Police,
P-2, Otteri Police Station,
Chennai.
(Crime No.802 of 2019)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail connection with S.C.No.429 of 2013 on the file of the learned VI Additional Sessions Judge, Chennai in Crime No.802 of 2009 on the file of the P-2, Otteri Police Station, Chennai.

For Petitioner : Mr.B.Shankar

For Respondent : Mr.A.Gopinath
Government Advocate (CrI. side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 04.08.2020 for the offences under Sections 341, 384, 307, 336, 427 & 506(ii) I.P.C. @ 341, 393, 394, 397, 506 (ii) r/w. 34 of IPC & 3 of TNPPDL Act in S.C. No.429 of 2013 in Cr. No.802 of 2009, on the file of the VI Additional Sessions Judge, Chennai, seeks bail.

2. The case of the prosecution is that petitioner who is arrayed as A3 has been issued Non Bailable Warrant by the trial Court and was arrested on 04.08.2020. Hence the bail petition.

3. The learned counsel for the petitioner submits that the petitioner regularly appeared before the trial Court before the issuance of NBW and is ready for speedy trial. He further submits that the petitioner is in jail from 04.08.2020 Therefore, he prays to grant bail to the petitioner.



4. Learned Government Advocate (Crl. Side) vehemently opposed the submissions of the learned counsel for the petitioner. He further submits that a case in S.C. NO.429 of 2013, is pending on the file of the learned VI Additional Sessions Judge, Chennai. Since the petitioner has not appeared and co-operated with the trial Court, NBW was issued and the petitioner was secured on 04.08.2020. He further submits there are six pending cases as against the petitioner and hence he vehemently oppose to grant bail to the petitioner.

5. The petitioner, as accused before the trial Court, violated the bail conditions by not co-operating with the trial, evading due process of law. Considering the antecedent and the fact that the petitioner had not cooperated with the trial Court and since there six previous cases pending against the petitioner, this Court is not inclined to grant bail to the petitioner. The petitioner shall face trial from the prison itself. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

26/05/2021

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 VI ADDITIONAL SESSIONS JUDGE,
CHENNAI

2 THE SUPERINTENDENT,
CENTRAL JAIL, PUZHAL, CHENNAI

3 THE INSPECTOR OF POLICE,
P-2, OTTERI POLICE STATION, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.B.SHANKAR Advocate on payment of necessary charges

CRL OP.9642/2021

Date :26/05/2021

RVR 29/06/2021