

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.06.2021

CORAM :

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.10091 of 2021

Appunu @ Jayakumar

.. Petitioner/Accused A-3

/versus/

State represented by
The Inspector of Police,
P-2, Otteri Police Station,
Chennai.

Cr.No.802 of 2009

.. Respondent/Complainant

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

For Petitioner : Mr.B.L.Shankar

For Respondent : Mr.E.Raj Thilak
Government Advocate (Cr1. Side)

O R D E R

(The case has been heard through video conference)

The petitioner/A3, who was arrested and remanded to judicial custody on 04.08.2020 for the offence punishable under Sections 341, 384, 307, 336, 427 and 506(ii) of IPC @ 341, 393, 394, 397, 506(ii) r/w 34 of IPC & 3 of TNPPDL Act in Crime No.802 of 2009 on the file of the respondent police, seeks bail.

2.The learned counsel appearing for the petitioner submits that the petitioner was arrested and released on bail. After completion of investigation, NBW was issued on 02.08.2016 and the petitioner was arrested on 04.08.2020 on execution of NBW. Further, he submits that the petitioner is ready and willing to furnish solvent sureties and abide any condition imposed by this Court. The petitioner is willing to co-operate with the respondent for investigation.

2.It is seen that the petitioner is arrayed as A3. He involved six previous cases. In the present case, he was arrested and subsequently he was released on bail. After completion of investigation, the respondent police filed final report in Crime No.802 of 2009 before the trial Court and the trial Court has taken cognizance of offence against the petitioner in S.C.No.429 of 2013 on the file of the VI Additional Sessions Judge, Chennai. Due to non-appearance of the petitioner herein, the trial Court issued NBW on 02.08.2016. After four years, the respondent police executed the NBW and arrested the accused on 04.08.2020. That apart, the petitioner has involved six previous cases and he is a habitual offender. Only because of his absence, the trial is pending for past eight years. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
09/06/2021

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 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.L.SHANKAR Advocate on payment of necessary charges

CRL OP.10091/2021

Date :09/06/2021

MK:02/07/2021