



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2021

CORAM

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl. O.P. No. 11095 of 2021

WEB COPY

Subash Chandra Bose

... Petitioner/Sole Accused

-vs-

The State Represented by  
Inspector of Police,  
Velampalayam Police Station,  
Tiruppur District.  
(Crime No. 230 of 2018)

... Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 439 of the Code of Criminal Procedure, 1973, praying to enlarge the Petitioner on bail concerned S.C. No. 30 of 2020 pending trial on the file of the Learned II Additional District Judge, Tiruppur, on such terms and conditions as this Court may deem fit.

For Petitioner : Mr. A.P.Sathyamurthy

For Respondent : Mr. C.E.Pratap,  
Counsel appearing for the Government.

O R D E R

(The case has been heard through video conference)

The Petitioner, who was arrested and remanded to judicial custody on 04.03.2020 for the offence punishable under Section 302 of the Indian Penal Code, 1860, in Crime No. 230 of 2018 on the file of the Respondent Police, seeks bail.

2. The Learned Counsel for the Petitioner would submit that the Petitioner is an innocent person and he had regularly appeared before the Trial Court and that when he was unable to appear on a particular date, the Trial Court had issued the Nonailable Warrant of arrest pursuant to which, he has been arrested and remanded to the judicial custody on 04.03.2020. He would further submit that the Petitioner is in judicial custody for the past one year. Hence, he prays for grant of bail to the Petitioner.



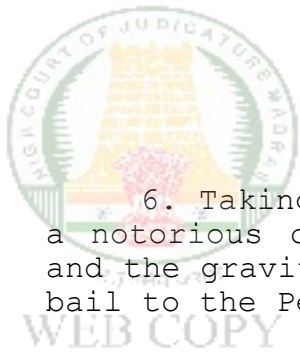
3. The Learned Counsel appearing for the Government would submit that the Petitioner is a notorious person against whom, there are eight previous cases and the cases are pending before the various Police Stations in Puducherry, Tirunelveli, Perundurai and Tiruppur. He had also enclosed the list of cases pending against the Petitioner, which are detailed below:-

| S. No. | Police Station                     | Crime No.   | Offences U/s.                                   |
|--------|------------------------------------|-------------|-------------------------------------------------|
| 1      | Neravy P.S.,<br>Puducherry.        | 53 of 2013  | 143, 148, 341, 120<br>and 302 r/w 149 of<br>IPC |
| 2      | Valliyur P.S.,<br>Tirunelveli.     | 252 of 2014 | 379 of I.P.C.                                   |
| 3      | Kanchi Kovil P.S.,<br>Perundurai   | 09 of 2014  | 392 of IPC                                      |
| 4      | North P.S.,<br>Tiruppur            | 813 of 2015 | 392 of IPC                                      |
| 5      | North P.S.,<br>Tiruppur            | 653 of 2015 | 392 of IPC                                      |
| 6      | 15, Velampalayam P.S.,<br>Tiruppur | 234 of 2018 | 392 of IPC                                      |
| 7      | 15, Velampalayam P.S.,<br>Tiruppur | 230 of 2018 | 302 of IPC                                      |
| 8      | 15, Velampalayam P.S.,<br>Tiruppur | 239 of 2020 | 392 and 397 of IPC                              |

He would further submit that earlier the Petitioner has cut his throat at the time of remand and he has the habit of inflicting injuries to himself. He would further submit that the case stands posted for framing of charges on 07.07.2021 (today). He would further submit that the trial will be completed at the earliest. He would further submit that if bail is granted at this stage, there is every possibility of the Petitioner absconding and that it will derail the progress of the trial. Hence, he would oppose for grant of bail to the Petitioner.

4. Heard the Learned Counsels and perused the earlier dismissal order dated 18.08.2020.

5. This Court is able to see that the Petitioner is involved in eight previous cases of grievous nature. Further, the case now stands posted for framing of charges. This Court is of the opinion that if bail is granted to the Petitioner, there is every possibility of him absconding.



6. Taking into consideration of the fact that the Petitioner is a notorious criminal and has got eight previous cases against him and the gravity of the offences, this Court is not inclined to grant bail to the Petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
07/07/2021

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 II ADDITIONAL DISTRICT COURT,  
TIRUPPUR.

2 THE INSPECTOR OF POLICE,  
VELAMPALAYAM POLICE STATION,  
TIRUPPUR DISTRICT.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, COIMBATORE.

+1CC to M/S P.SATHIYA Advocate on payment of necessary charges  
SR NO.7145

CRL OP.11095/2021

Date :07/07/2021

MK:15/07/2021