



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.07.2021

CORAM :

WEB COPY

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

CrI.O.P.No.11904 of 2021

P. Manickam

... Petitioner

Vs.

State by

... Respondent

The Inspector of Police

G-5, Secretariat Colony Police Station

Chennai-600 010

(Cr.No.740 of 2013)

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in S.C.No.348 of 2014 pending trial on the file of the XIX Additional Sessions Court, Chennai.

For Petitioner : Mr.K.Kannan

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (CrI. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 06.08.2020 for the offence punishable under Sections 147, 148, 364, 302 IPC read with 201 and 149 IPC in S.C.No.348 of 2014 on the file of the XIX Additional Sessions Court, Chennai, seeks bail.

2. It is a case of jumped bail. The petitioner is facing trial in S.C.No.348 of 2014 for offences under Sections 147, 148, 364, 302 read with 201 and 149 IPC. Since the petitioner did not appear before the trial Court on 20.11.2019, the trial Court had issued Non Bailable Warrant against the petitioner on 20.11.2019 pursuant to which, the petitioner was arrested on 06.08.2020 on execution of Non Bailable Warrant.

3.The learned counsel appearing for the petitioner would submit that the petitioner has been suffering incarceration from 06.08.2020 and he would submit that the earlier applications filed by the petitioner were dismissed by this Court with a direction to the trial Court to complete the trial within the time stipulated by this Court. However, the trial has not been completed and the petitioner is unnecessarily kept in custody. Hence, he prays for grant of bail.



4.The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that it is true that this Court while dismissing the earlier application for bail in Crl.O.P.No.6263 of 2021 had directed the trial Court to complete the trial in both the Sessions case and deliver the Judgment as expeditiously as possibly preferably within a period of six months from the date of receipt of copy of the order. He would submit that at that time, there was no indication of second wave of Covid -19 and now due to the second wave of Covid, there had been some delay in completing the trial. He would submit that only the Investigating Officer who filed the charge sheet is yet to be examined and that there is every possibility that the trial being completed in two months.

5.It is seen that the trial is at the fag end and only the Investigating Officer is yet to be examined. Therefore, at this stage this Court is not inclined to grant bail to the petitioner.

6. A direction is issued to the learned XIX Additional Sessions Judge, Chennai to complete the trial in S.C.No.348 of 2014 and deliver the Judgments as expeditiously as possible preferably within a period of two months from the date of receipt of copy of this order.

7. With the above directions, the Criminal Original Petition stands dismissed.

-sd/-
28/07/2021

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 INSPECTOR OF POLICE
G-5, SECRETARIAT COLONY POLICE STATION,
CHENNAI-600 010.CR.NO.740 OF 2013.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

<https://hcservices.ecourts.gov.in/hcservices/>



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.KANNAN Advocate on payment of necessary charges

CRL OP.11904/2021

Date :28/07/2021

INBA 03/08/2021