

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.11082 of 2021

Joseph @ Prabhu Manikandan

... Petitioner

Vs.

State represented by
The Inspector of Police,
Killiyanur Police Station,
Villupuram
(Crime No.263 of 2017)

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.263 of 2017 on the file of the respondent police.

For Petitioner : Mr.G.Pavendhan

For Respondent : Mr.S.Sugendran
Government Advocate (Crl.Side)

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 06.11.2020 for the offence punishable under Sections 397 & 411 of IPC in Crime No.263 of 2017, seeks bail.

2 Learned counsel for the petitioner would submit that the petitioner is in judicial custody for more than 210 days and he is ready to abide any conditions to be imposed by this Court. Hence, he seeks bail.

3 Learned Government Advocate (Crl.Side) appearing for the respondent police would submit that there are totally 6 accused and the petitioner before this Court is A1. A4 and A5 have already absconded and A2 and A3 are in custody. Since this petitioner did not appear before the trial Court, NBW was issued and executed and he was arrested on 06.11.2020. The case in P.R.C.No.10 of 2018 is pending for more than two years for committal proceedings. Hence if the petitioner is released on bail, there are every chances of him getting absconded again.

4 Heard the learned counsel appearing on either side.

5 It is represented that the petitioner was arrested on execution of NBW issued by the trial Court, since he did not appear before the Court below. The case is still in PRC stage and pending for committal proceedings for more than two years, since co-accused have absconded and even this accused was also absconded and subsequently arrested by executing the NBW. Further there are four previous cases are pending against this petitioner.

6 Considering the above and also the bad antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

7 The Investigating Officer is directed to secure the absconded accused and produce them before the trial Court within a week from the date of receipt of a copy of this order, failing which, the Investigating Officer has to appear before this Court on 12.07.2021.

-sd/-

01/07/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VANUR

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

3 THE INSPECTOR OF POLICE, सतयमेव जयते
KILLIYANUR POLICE STATION, VILLUPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.PAVENDHAN Advocate on payment of necessary charges

CRL OP.11082/2021

Date :01/07/2021

RVR 02/07/2021