



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Second day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15745 of 2021

M.K.PRAKASH

[PETITIONER / ACCUSED]

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
ADAMBAKKAM POLICE STATION,
CHENNAI
(CRIME NO. 521 OF 2010)

[RESPONDENT]

For Petitioner : M/S. B.GOPALAKRISHNAN Advocate

For Respondent : M/S. A.GOPINATH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 08.03.2021 for the offence under Sections 302, 380 r/w 34 of IPC, in S.C.No.123 of 2011 on the file of the learned Additional District and Sessions Judge, Chengalpattu, seeks bail.

2. This is the second bail application filed before this Court. The case of the prosecution is that the petitioner was implicated for the offence under Sections 302, 380 r/w 34 of IPC in S.C.No123 of 2011 on the file of the learned Additional District and Sessions Judge, Chengalpattu and since he did not appear before the Court for hearing, Non Bailable Warrant was issued against the petitioner and he was secured on 08.03.2021.

3.The learned counsel appearing for the petitioner would submit that the non appearance of the petitioner before the lower Court is neither willful nor wanton, however, he was unable to appear before the lower Court. Hence, Non Bailable Warrant was issued against the petitioner.



4.The learned Government Advocate (Crl. Side) submitted that there are seven previous cases pending as against the petitioner and earlier bail application was dismissed by this Court and there is no change of circumstances. Hence, he vehemently opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also the fact that there are seven previous cases pending as against the petitioner and earlier application was dismissed by this Court and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

02/09/2021

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,
ADAMBAKKAM POLICE STATION,
CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI II, CHENNAI

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

CRL OP.15745/2021

Date :02/09/2021

APN 23/09/2021