



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17126 of 2021

JOSEPH @ PRABU MANIKANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KILIYANUR POLICE STATION,
VILLUPURAM DISTRICT
(CRIME NO.263 OF 2017)

[RESPONDENT]

For Petitioner : M/S R.SANKARASUBBU Advocate

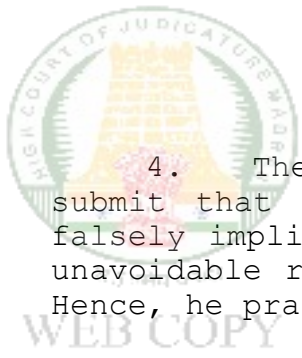
For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody on 06.11.2020 for the offences punishable under Sections 397 and 411 of IPC, in Crime No.263 of 2017, on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the petitioner herein who has arrayed as A1 in this case along with other accused committed a theft of Ashok leyland Dosth lorry belonging to the defacto complainant and later the same was recovered and the case was registerd in the year 2017 and in this case investigation completed and charge sheet was filed and case has been taken on file in P.R.C.No.10 of 2018. The petitioner has not appeared befor the trial Court and hence non bailable warrant was issued against the petitioner on 19.12.2019. Therafter the petitioner filed a bail petition before the trial court and the same was dismissed on 12.08.2021 in C.M.P.No.5868 of 2021. Hence the present application for bail.



4. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submits that due to some unavoidable reason he was not able to appear before the Court below. Hence, he prayed for grant of anticipatory bail.

5. The learned Government Advocate would submit that in the Court below, already six applications filed the petitioner was dismissed and the details are hereunder:

S.No.	CrI.M.P.No and year	Date of order
1	CrI.M.P.No.7731 of 2020	19.11.2020
2	CrI.M.P.No.259 of 2021	11.01.2021
3	CrI.M.P.No.760 of 2021	01.02.2021
4	CrI.M.P.No.1202 of 2021	17.02.2021
5	CrI.M.P.No.1502 of 2021	04.03.2021
6	CrI.M.P.No.1541 of 2021	06.03.2021

He further submits that there are four complaints in four different police stations are pending against the petitioner and the details are hereunder:

S.No.	Crime No. and year	Offence	Name of the police station
1	Cr.No.334 of 2017	Section 392 of I.P.C	Acharapakkam police station
2	Cr.No.636 of 2020	Section 269,270,278,399 of I.P.C	Kotakupam Police Station
3	Cr.No.692 of 2020	Section 75 of TNP Act	Pattabiram Police Station
4	Cr.No.257 of 2017	Section 392 of I.P.C	Not known



5. Considering the facts and circumstances of the case and the bad antecedents against the petitioner that he is having four previous cases pending against him and even though the petitioner has granted bail by the Court below he has not appeared before the trial Court and hence non bailable warrant was issued against the petitioner and six times the bail application was dismissed by the Court below. this Court is not inclined to grant bail to the petitioner. Accordingly this Criminal Original petition is dismissed.

-sd/-
17/09/2021

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,
KILIYANUR POLICE STATION,
VILLUPURAM DISTRICT

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S R.SANKARASUBBU Advocate on payment of necessary charges SR.NO.10232

CRL OP.17126/2021

Date :17/09/2021

JPA 30/09/2021