

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2021

CORAM

THE HONOURABLE Mr. JUSTICE V.BHARATHIDASAN

Crl.O.P.No.20942 of 2020

Keeraimani @ Manikandan

...Petitioner

Vs.

The State rep. by
Inspector of Police,
Kannagi Nagar Police Station,
Chennai.

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Criminal Procedure Code, praying to enlarge the petitioner on bail in SC.No.63 of 2017 on the file of the Principal Sessions Judge, Kanchipuram District at Chengalpattu in Crime No.515 of 2015.

For Petitioner : Mr.J.Samiullah

For Respondent : Mrs.M.Prabhavathi

Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 13.10.2020 for the offence punishable under Sections 341, 302 r/w 34 of IPC, in SC.No.63 of 2017 on the file of the Principal Sessions Judge, Kanchipuram District at Chengalpattu, seeks bail.

2. It is a case of jumped bail. The petitioner, who is the main accused in SC.No.63 of 2017 on the file of the learned Principal Sessions Judge, Kanchipuram District at Chengalpattu. The occurrence had taken place in the year 2017 and earlier, the petitioner came out on bail. Subsequently, the petitioner, after obtaining bail, failed to appear before the Court on 16.08.2019 and thereby, the learned Trial Judge had issued a Non Bailable Warrant (NBW) of arrest against him, pursuant to which, the petitioner was arrested on 13.10.2020.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and that due to illness, he was unable to appear before the Court on 16.08.2019 and thereby, the learned Trial Judge issued Non Bailable Warrant of arrest against him, pursuant to which, he was arrested on 13.10.2020 and he is in custody for more than 80 days.

4.The learned Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that the petitioner is a notorious rowdy element, against whom there are six previous cases. She would submit that since the petitioner did not appear before the Court on 16.08.2019, the learned Trial Judge was pleased to issue Non Bailable Warrant of arrest against him, pursuant to which, the petitioner was arrested on 13.10.2020 with great difficulty. She would submit that the respondents, after great difficulty, were able to secure the petitioner and at this stage, if the petitioner let out on bail, there are every chances of him getting absconded again and thereby, derailing the progress of trial.

5.Taking into consideration of the fact that the petitioner has six previous cases, this Court is not inclined to grant bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-sd/-
08/01/2021

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.INSPECTOR OF POLICE,
KANNAGI NAGAR POLICE STATION,
CHENNAI.

2.THE SUPERINTENDENT,
CENTRALPRISON,PUZHAI,CHENNAI.

3.THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. J.SAMIULLAH Advocate on payment of necessary charges

CRL OP.20942/2020

Date :08/01/2021

ksm22/01/2021