



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24724 of 2021

1 SARAVANAN
2 UMAPATHY

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI DISTRICT.
CRIME NO.533 OF 2013

[RESPONDENT]

For Petitioner : M/S. SWAMISUBRAMANIAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who were arrested and remanded to judicial custody on 07.08.2021 and 06.10.2021 respectively, for the offences under Sections 364(A), 325 and 506(ii) of IPC, in Crime No.533 of 2013, seek bail.

2. It is a case of jumped bail. The petitioners were arrested on 07.08.2021 and 06.10.2021 pursuant to the Non Bailable Warrant issued against them.

3. The learned Counsel for the petitioners submitted that it is the case of the year 2013 and the petitioners were regularly appearing before the Court. Thereafter, due to health issues, they were unable to appear before the Court and thereby, the learned Judge ordered Non Bailable Warrant against the petitioners following which, the petitioners were arrested on 07.08.2021 and 06.10.2021 respectively and that they have been suffering incarceration for more



than 130 and 70 days from 07.08.2021 and 06.10.2021. He further submitted that the petitioners are prepared to appear regularly before the trial Court and to co-operate for the trial. Hence, he seeks for grant of bail to the petitioners.

WEB COPY

4. The learned Government Advocate (Crl. Side) raised strong objection stating that the case is of the year 2014 and the petitioners were absconding for more than 7 years from the year 2014 and the case is now posted for defence witness and if they are released on bail at this stage, there is every possibility of the petitioners getting abscond and thereby, the trial would be stalled.

5. At this juncture, the learned Counsel for the petitioners would submit that if the Court is not satisfied, a direction may given to the trial Court to complete the trial within a specific period.

6. It is a case of the year 2013. The trial already began and that the petitioners were absconding from the year 2014. In view of the long abscondance of the petitioners, this Court is of the opinion that if the petitioners are released on bail at this stage, there is every possibility of the petitioners getting abscond and thereby, the trial proceedings would get stalled. Hence, this Court is not inclined to grant bail to the petitioners. Accordingly this Criminal Original petition is dismissed.

7. Since, the Sessions Case is of the year 2014, the learned Sessions Judge, Fast Track mahila Court, Nagapattinam District is directed to dispose of the case in S.C.No.35 of 2014 within a period of two months from the date of receipt of copy of this order.

-sd/-

17/12/2021

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 SESSIONS JUDGE,
FAST TRACK MAHILA COURT, NAGAPATTINAM
DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPALLI.



3 THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.24724/2021

Date :17/12/2021

RW 30/12/2021