



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19293 of 2021

Mohammad Yasar

... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
Pattukottai Police Station,
Tanjore District.
Crime No.334 of 2016.

... Respondent/Respondent

For Petitioner : Mr.P.Edinbrough,
Advocate.

For Respondent : Mr.R.Meemakshi Sundaram,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

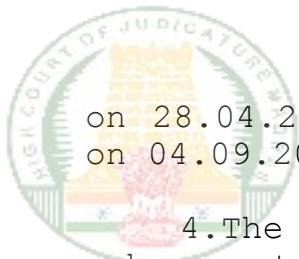
PRAYER :-For Bail in Crime No.344 of 2016 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3 herein, who was arrested on 20.06.2021 for the alleged offence under Sections 120(B), 147, 148, 341, 342, 302, 149 of IPC, in Crime No.334 of 2016, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that after releasing on bail, he went abroad on 14.09.2018 and returned to India on 12.05.2021. In the mean time, no details are available to show his visits. But, again, he left from India on 14.06.2019. During the course of investigation and trial, it was found that the petitioner is frequently going abroad.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that after releasing on bail, he did not appear before the learned
<https://hcservicescourts.gov.in/hcservices/> Judge, Pattukottai. Hence, NBW was issued against him,



on 28.04.2019 and he was arrested and remanded to judicial custody on 04.09.2021.

4.The learned Additional Public Prosecutor submitted that subsequent to the released on bail, he committed another offence in Crime No.109 of 2017 for the offence under Section 307 IPC and again he went abroad. So, because of the subsequent visit of the petitioner, there is a delay in investigation and trial.

5.The crime is of the year 2016. Considering the facts and circumstance, if the petitioner is released on bail, every likelihood of absconding and tampering the evidence, the petitioner is not entitled for bail.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

17/12/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE
PATTUKOTTAI POLICE STATION,
TANJORE DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL, PUDUKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.19293 of 2021

Date :17/12/2021

DSS

MK/VR/SAR.II/28.12.2021/2P/4C