



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twelfth day of January Two Thousand Twenty Two
PRESENT

WEB COPY

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.748 of 2022

IN

S.C.353 OF 2018

[THE II ADDITIONAL DISTRICT JUDGE, SALEM (FAC)]

BASKAR @ KOZHI BASKAR

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
ANNADANAPATTI POLICE STATION,
(CRIME NO.668/2012)
REP BY THE
PUBLIC PROSECUTOR
HIGH COURT AT MADRAS

[RESPONDENT]

For Petitioner : M/S C.EMALIAS Advocate

For Respondent : MR. N.S.SUGANTHAN, 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 14.07.2021 for the offences under Sections 109, 147, 148, 341, 302 and 506(ii) of IPC, in SC.No.353 of 2018 in Crime No.688 of 2012 on the file of the II Additional District Judge, Salem (FAC), seeks bail.

2. It is a case of jumped bail. The petitioner was arrested on 14.07.2021 pursuant to the Non Bailable Warrant issued against him.

3. The learned Counsel for the petitioner submitted that it is the case of the year 2012 and he was regularly appearing before the Court. Thereafter, the petitioner due to health issues, he was unable to appear before the Court and thereby, the learned Judge ordered Non Bailable Warrant against the petitioner following which, the petitioner was arrested on 14.07.2021 and that he has been suffering incarceration for more than 5½ months from 14.07.2021. He further submitted that the petitioner is prepared to appear regularly before the trial Court and to co-operate for the trial. Hence, he seeks for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) raised objection stating that this is the case is of the year 2012 and the petitioner is a notorious Criminal and he is a habitual offender and the history sheet no is assigned as HS.No.577 of 2004. He further submits that the petitioner was absconding for more than three years and he is having 30 previous cases and he is detained under Goondas and that he is not cooperating for trial proceedings and if the petitioner is released on bail, there is every possibility that the petitioner getting abscond and the trial would get stalled. He further submits that there is no medical proof for the petitioner is a HIV Patient .

5. Considering the above submissions made by the learned Government Advocate (Crl. Side) and the antecedents against the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly this Criminal Original petition is dismissed.

-sd/-
12/01/2022

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 II ADDITIONAL DISTRICT JUDGE,
SALEM.

2 THE INSPECTOR OF POLICE,
ANNADANAPATTI POLICE STATION,
SALEM.

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.748/2022

Date :12/01/2022

MK:04/02/2022