



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

Monday, the Twenty Fourth day of January Two Thousand Twenty Two
PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.1353 of 2022

RAJASEKAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
PERUMANALLUR POLICE STATION,
PERUMANALLUR, TIRUPPUR DISTRICT.
CRIME NO.349/2019

[RESPONDENT]

For Petitioner : M/S M.SILAMBARASAN FOR M/S K.ARUNRAJ Advocate

For Respondent : MR.A.GOKULAKRISHNAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 23.10.2021 for the offence under Section 392 IPC, in Crime No.349 of 2019, on the file of the respondent police in C.C.No.469 of 2019 on the file of the learned Judicial Magistrate, Avinashi, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested on 23.10.2021 on execution of non bailable warrant issued against him on 29.01.2020.

3. The learned counsel for the petitioner submitted that the petitioner was earlier granted bail and he was regularly appearing before the Court and thereafter on 29.01.2020, due to his ill health, he was unable to appear before the Court following which, the learned Magistrate issued non bailable warrant against him on 29.01.2020 and subsequently, he was arrested and remanded to judicial custody on 23.10.2021. He would further submit that the petitioner is ready to appear before the Court regularly and that he has been suffering incarceration for more than 90 days from 23.10.2021 and hence, he would pray for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor would raise strong objection stating that the petitioner has been arrested by the respondent police with great difficulties after a period of 1 ½ years and that he has got 7 previous cases and if the petitioner is released on bail, there is every possibility of the petitioner getting abscond and thereby, the trial would be stalled.

5. On seeing the antecedents of the petitioner and that there is a possibility of the petitioner getting abscond, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/01/2022

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 JUDICIAL MAGISTRATE, AVINASHI,

2 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY

3 INSPECTOR OF POLICE,
PERUMANALLUR POLICE STATION,
PERUMANALLUR, TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.1353/2022

Date :24/01/2022

RVR 04/02/2022