



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Ninth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.3032 of 2022

IN S.C.NO.277 of 2016

(On the file of the III Additional District Judge, Salem)

RAMU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE
THEEVATTIPATTY POLICE STATION
SALEM DISTRICT
CRIME NO.404 of 2013

[RESPONDENT]

For Petitioner : M/S.S.SENGKODI Advocate

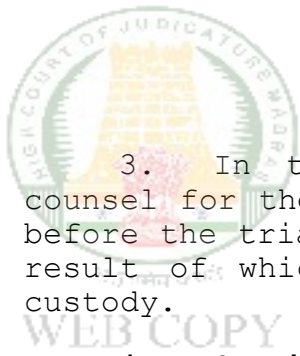
For Respondent : M/S.G.V.KASTHURI, Additional public Prosecutor

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 10.11.2021, pursuant to the NBW issued by the learned III Additional District Sessions Judge, Salem in S.C.No.277 of 2016, for the offences punishable under Sections 120(B), 449 r/w 149, 396, 404 r/w 149 of IPC in Crime No.404 of 2013, on the file of the respondent police, seeks bail.

2. The petitioner has been arrayed as A-2 in Sessions Case No.277 of 2016 pending on the file of the learned III Additional District Sessions Judge, Salem. In the above referred case, the respondent police laid Final Report for the offences punishable under Sections 120(B), 449 r/w 149, 396, 404 r/w 149 of IPC. After taking cognizance in the year 2016, till now, the said case is pending before the said Court.



3. In this occasion, it is the submission of the learned counsel for the petitioner that the petitioner was regularly appeared before the trial Court and only one hearing he has not appeared, as a result of which, NBW has been issued and now, he is in judicial custody.

4. On the other hand, the learned Additional Government Pleader appearing for the respondent police would submit that, apart from this petitioner against one another accused, till now, NBW is pending and due to which, the trial has not been proceeded with before the trial Court.

5. Taking into consideration of the above said facts, here, it is a case, due to the non-appearance of the petitioner and the other accused, the case has not been disposed of before the trial Court for the past five years. Therefore, if this petitioner is released on bail, he may try to abscond and so the trial could not be completed.

6. In view of the above, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
09/02/2022

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 III ADDITIONAL DISTRICT
SESSIONS JUDGE, SALEM.

2 THE INSPECTOR OF POLICE
THEEVATTIPATTY POLICE STATION
SALEM DISTRICT

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.SENGKODI Advocate on payment of necessary charges
WEB COPY

CRL OP.3032/2022

Date :09/02/2022

JPA 14/02/2022