



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fifth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.4573 of 2022

IN S.C.NO.27 of 2017

BASKAR @ KOZHI BASKAR

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
ANNADANAPATTI POLICE STATION,
(CRIME NO.355 OF 2016)
REP BY THE PUBLIC PROSECUTOR
HIGH COURT AT MADRAS

[RESPONDENT]

For Petitioner : M/S.C.EMALIAS Advocate

For Respondent : MR.L.BASKARAN, Govt. Advocate (Crl. Side)

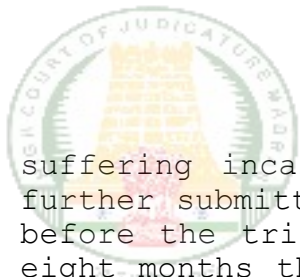
PETITION FOR BAIL 439 Cr.P.C.

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 120(b), 109, 147, 148, 323, 364, 302 and 201 of IPC, in SC.No.27 of 2017 in Crime No.355 of 2016 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 2016 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 6 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 and for past eight months there is no progress in the trial pending before the II Additional District Judge, Salem in S.C.No.27 of 2017. Further, he submitted that the petitioner is suffered with HIV to that effect he produced the copy of the medical certificate issued by the Government Medical College and Hospital. 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 of the year 2016 and the petitioner is a notorious Criminal and habitual offender, 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 Act-14, 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.

5. Considering the above submissions made by the learned Government Advocate (Crl. Side) and the antecedents against the petitioner and he is the history sheet HS.No.577 of 2004, this Court is not inclined to grant bail to the petitioner.

6. Accordingly this Criminal Original petition is dismissed. Further, this Court directs the trial Court to dispose the case within two months from the date of receipt of a copy of this order without any adjournments.

-sd/-
25/03/2022

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 (FAC)



2 THE INSPECTOR OF POLICE
ANNADANAPATTI POLICE STATION,
REP BY THE PUBLIC PROSECUTOR
HIGH COURT AT MADRAS

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.EMALIAS Advocate on payment of necessary charges
SR.NO.4702

CRL OP.4573/2022

Date :25/03/2022

JPA 31/03/2022