



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.4596 of 2022

IN S.C.NO.345 of 2014

D.MAHENDRAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
R8, VADAPALANI POLICE STATION,
CHENNAI.
CRIME NO.973 OF 2013

[RESPONDENT]

For Petitioner : M/S.K.LIVINGSTON, 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 27.08.2021, for the offences punishable under Sections 341, 294(b), 392 r/w 397, 353, 336 and 506(ii) of IPC in Crime No.973 of 2013, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the petitioner is an accused in S.C.No.345 of 2014 pending on the file of the learned IV Additional Sessions Judge, City Civil Court, Chennai. After taking cognizance in the year 2014, due to non-appearance of the petitioner, NBW was issued on 11.12.2014 and subsequently, he was secured on 27.08.2021 and thereafter, he is in judicial custody.

3. The learned counsel appearing for the petitioner would contend that, since for the reason that there was no summons send to the petitioner, he is unable to know the pendency of the case and therefore, if the petitioner is released on bail, he may regularly attend the Court proceedings.



4. The learned Additional Public Prosecutor appearing for the respondent police vehemently opposed and states that if the petitioner is released on bail, he may try to abscond from attending the Court proceedings.

5. Now, on considering the submissions with the relevant records, it would appear that after issuing NBW, the present petitioner was secured after 6 years. Admittedly, the petitioner is having three previous cases. Hence, he is very much aware of the Court proceedings. Therefore, the submission made by the learned counsel appearing for the petitioner that the petitioner is not having any knowledge about the pendency of the case, is unacceptable. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
25/02/2022

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 IV ADDITIONAL SESSIONS JUDGE,
CITY CIVIL COURT, CHENNAI

2 THE INSPECTOR OF POLICE,
R8, VADAPALANI POLICE STATION,
CHENNAI.

3 THE SUPERINTENDENT,
PUZHAL JAIL, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.SAMANTA AND STON Advocate on payment of necessary charges

CRL OP.4596/2022

Date :25/02/2022

JPA 03/03/2022