



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.6248 of 2022

RAMU

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
THORAIPAKKAM POLICE STATION,
KANCHEEPURAM DISTRICT.
(CRIME NO.52 OF 2012)

[RESPONDENT]

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : Mrs.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 on 20.12.2021 for the offences punishable under Sections 363 and 376 of IPC, in Crime No.52 of 2012, on the file of the respondent police, seeks bail.

2. It is a case of jumped bail. The petitioner has not appeared before the Trial Court on 23.11.2015 and therefore Non Bailable Warrant was ordered. For the past 6 years, he did not appear before the Trial Court. On 20.12.2021, it seems that he surrendered before the Court with a petition for recalling the Non Bailable Warrant. It is submitted that the petition filed to recall the Non Bailable Warrant was dismissed and he was remanded. The petitioner is in judicial custody from 20.12.2021. Thus, the learned counsel for the petitioner seeks to release the petitioner on bail.

3. The learned Additional Public Prosecutor opposed the petition on the ground that the petitioner was absconding and failed to appear before the Court for the past 6 years and caused delay in disposal of the case which was taken cognizance in 2013. Thus she prayed for dismissal of this petition.



4. Heard the submissions made by the learned counsel for the petitioner and the learned Public Prosecutor for the respondent Police.

5. The case in S.C.No.84 of 2013 was taken cognizance for the offence under Section 363 and 376 of IPC. It appears that the petitioner has appeared before the Court till 2015 and thereafter he did not appear, resulting in issuance of Non Bailable Warrant. Only on 20.12.2021, he appeared and was remanded to judicial custody.

6. It is reported that out of 10 witnesses, 2 witnesses have been examined. Therefore, the Sessions Judge, Mahila Court, Chengalpattu is directed to dispose this case as early as possible, preferably within a period of 2 months from the date of receipt of a copy of this order. Failing the disposal of the case within a period of 2 months, the petitioner is given liberty to approach this Court for bail.

7. Accordingly, this Criminal Original Petition is disposed of.

-sd/-
18/03/2022

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 INSPECTOR OF POLICE,
THORAIPAKKAM POLICE STATION,
KANCHEEPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

CC to M/S.R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.6248/2022

Date :18/03/2022

TA-28/03/2022