



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9503 of 2022

IN

C.C.NO.75/2016

(On the file of the 5th Additional Sessions Judge, Chennai)

FARIKUL ISLAM

[PETITIONER / ACCUSED]

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, EGMORE,
CHENNAI.
(CRIME NO.2/2014)

[RESPONDENT]

For Petitioner : M/S.M.HUSSAINI BASHA 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 herein, who was arrested for the offences under Sections 489 B and C , 120(B) of IPC read with 25(1-B)(a), 29 (a)(B) of Arms Act 1959, Section 15(1)(a)(iiia) read with 16(1)(b) and 18, 20 of unlawful activities (Prevention) Act 1967 (Act 3 of 2013), in Crime No.02 of 2014 seeks bail.

2. The petitioner herein after laying a final report and taken on file in CC.No.49 of 2014 by the Sessions Court at Chennai, had absconded. Therefore the case was split up against this petitioner and split up case No.75/2016 assigned and the case was pending for appearance of the petitioner. The petitioner failed to appear before the trial Court which has led to issuance of NBW against this petitioner and the petitioner was secured on 05.03.2022 at Malta, state of West Bengal.



3. The learned counsel for the petitioner would submit that the petitioner is pursuing his P.G Course and he is innocent and ready to prove his innocence in the trial and hence seeks bail.

4. The learned Additional Public Prosecutor for the respondent opposed granting bail to the petitioner on the ground that this petitioner who was found in possession of fake currency and weapon, absconded and was secured only after six years. Due to his abscondence, the trial in CC.No.49 /2014 got delayed for nearly 8 years and only after securing this petitioner, the case has started progressing and listed for examination of PW1 and others on 04.05.2022. If the petitioner is released on bail there is every possibility of his abscondence, since he hails from West Bengal and not root over this state.

5. Going by the conduct of the petitioner and the objection by the Additional Public Prosecutor and the gravity of the offence alleged against this petitioner, this Criminal Original Petition for bail is dismissed.

-sd/-

26/04/2022

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 5TH ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE SESSIONS JUDGE
CHENNAI.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, EGMORE, CHENNAI.

4 THE SUPERINTENDENT
CENTRAL PRISON, PUZHAL, CHENNAI.



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.HUSSAINI BASHA Advocate on payment of necessary
charges

CRL OP.9503/2022

Date :26/04/2022

CSK 05/05/2022