



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13330 of 2022

IN S.C.NO.3 of 2010

(On the file of the Learned Sessions Judge, Sessions Court for exclusive Trial of Bomb Blast Cases, Poonamallee, Chennai)

SARAVANAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KORADACHERRY POLICE STATION,
THIRUVARUR DISTRICT
(CRIME NO.252 OF 2007)

[RESPONDENT]

For Petitioner : M/S K.C.JAIPRAKASH Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 147, 148, 450, 342, 506(ii) of IPC r/w 109 & 302 IPC r/w 149 IPC and 25(1) of Arm Act 1959 and Sections 3, 5 & 6 of Explosive Substances Act 1908 in Crime No.252 of 2007, seeks anticipatory bail.

2. The petitioner is facing trial in S.C.No. 3 of 2010 on the file of the learned Sessions Judge, Sessions Court for Exclusive Trial of Bomb Blast Cases, Poonamallee, Chennai, for the offences punishable under Sections 120B, 147, 148, 450, 342, 506(ii) of IPC r/w 109 & 302 IPC r/w 149 IPC and 25(1) of Arm Act 1959 and Sections 3, 5 & 6 of Explosive Substances Act 1908 and due to his non appearance, the trial Court issued Non-bailable warrant as against the petitioner on 25.10.2021.



3. The learned counsel appearing for the petitioner would submit that on 25.10.2021, due to illness, the petitioner was not able to appear before the learned Sessions Judge, Sessions Court for Exclusive Trial of Bomb Blast Cases, Poonamallee, Chennai in respect of the case in S.C.No. 3 of 2010 and hence, non bailable warrant has been issued against the petitioner. He would further submit that the said absence is neither willful nor wanton and he undertakes that the petitioner shall appear before the Court below regularly on all future hearing dates without fail.

4. The learned Additional Public Prosecutor would submit that the non bailable warrant has been issued against the petitioner on 25.10.2021 and the petitioner/accused was secured on 09.06.2022.

5. Considering the undertaking given by the learned counsel for the petitioner, the petitioner is directed to appear before the learned Sessions Judge, Sessions Court for Exclusive Trial of Bomb Blast Cases, Poonamallee, Chennai, within a period of two weeks from the date of receipt of a copy of this order and to file a petition to recall NBW already issued against him. On filing of such petition, the concerned learned Sessions Judge is directed to consider the same on merits and pass orders on the same day.

6. It is made clear that while considering the petition to recall, the Court below shall bear in mind about the period of Non Bailable Warrant and any crime committed while pending Non Bailable Warrant. Mere direction issued by this Court to consider the application on the same day does not amount to direction to consider the recall petition favourably.

7. This Criminal Original Petition is disposed of accordingly.

-sd/-
09/06/2022

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 SESSIONS JUDGE
SESSIONS COURT FOR EXCLUSIVE TRIAL OF BOMB
BLAST CASES, POONAMALLEE, CHENNAI



2 THE INSPECTOR OF POLICE,
KORADACHERRY POLICE STATION,
THIRUVARUR DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S K.C.JAIPRAKASH Advocate on payment of necessary
charges SR.NO.8842

CRL OP.13330/2022

Date :09/06/2022

JPA 23/06/2022