



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13679 of 2022

IN

S.C.NO.382/2018

(On the file of the III Additional District Judge, Salem)

SUNDAR @ SUNDARAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ANNADHANAPATTY POLICE STATION,
SALEM DISTRICT.

(CR.NO.204 /2017)

For Petitioner : M/S. B.VASUDEVAN Advocate

For Respondent : MR.A.DAMODARAN, 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 11.03.2022 for the offences punishable under Sections 120 (b), 302, 302 r/w 120(b) and 212 of IPC in SC.No.382 of 2018 on the file of the III Additional Sessions Court, Salem in respect of crime No.204 of 2017 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner murdered the deceased and as such he was arrested and remanded to judicial custody in crime No.204 of 2017 for the offences punishable under Sections 120(b), 302, 302 r/w 120(b) and 212 of IPC. Thereafter, he was released on bail. After completion of investigation, the respondent filed final report in crime No.204 of 2017 and the same has been taken cognizance in SC.No.382 of 2018 on the file of the III



Additional Sessions Court, Salem. While being so, the petitioner was absent on 25.02.2022 and as such NBW was issued as against the petitioner. On the Non Bailable Warrant, the petitioner himself voluntarily surrendered on 11.03.2022 before the trial court and filed petition to recall Non Bailable Warrant. However, it was dismissed and the petitioner was remanded to judicial custody.

3. The learned counsel for the petitioner would submit that while the petitioner was grazing cows on 21.02.2022, his cows ran out of his control and he attempted to hold them. As he accidentally had sprained his leg, he was unable to move outside freely and he was absent on 25.02.2022 before the trial court. Therefore, his absence before the trial court was neither willful nor wanton. Hence, he prays for grant of bail to this petitioner.

4. The Additional Public Prosecutor appearing for the respondent police would submit that now the entire trial has been over and the matter is posted for judgment on 20.06.2022. Hence, at this stage, if the petitioner is let out on bail, he will abscond and the further proceedings will be stalled. Hence, he vehemently opposed to grant bail to the petitioner.

5. As submitted by the learned Additional Public Prosecutor, since the matter is posted for judgment on 20.06.2022, if the petitioner is let out on bail at this stage,, he will abscond and the further proceedings will be stalled. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, the criminal original petition is dismissed.

-sd/-

14/06/2022

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 III ADDITIONAL DISTRICT JUDGE,
SALEM.

2 THE INSPECTOR OF POLICE,
ANNADHANAPATTY POLICE STATION,
SALEM DISTRICT.



3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. B.VASUDEVAN Advocate on payment of necessary
charges SR.No.9172

CRL OP.13679/2022

Date :14/06/2022

CSK 17/06/2022