



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.25290 of 2021

IN P.R.C.NO.8 of 2016

(On the file of the Principal District and Sessions Court at
Chengalpet)

NITHIYA @ NITHIYANANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE,
CHENGALPATTU TOWN POLICE STATION,
CHENGALPATTU DISTRICT.
(CRIME NO.144 OF 2014)

[RESPONDENT]

For Petitioner : M/S. K.SUTHAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

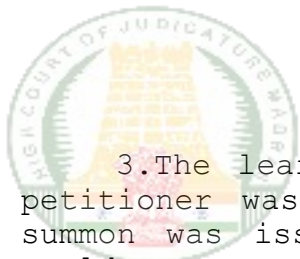
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 24.02.2021 for the offences punishable under Sections 147, 148, 120B, 302 IPC, r/w 3 & 4 of the Indian Explosive Substances Act, 1908 in Crime No.144 of 2014 on the file of the respondent police in P.R.C.No.8 of 2016 on the file of the learned Principal District and Sessions Judge, Chengalpattu, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on execution of non bailable warrant on 24.02.2021.



3.The learned counsel for the petitioner would submit that the petitioner was not aware of the pendency of the case and that no summon was issued on the petitioner and therefore, the petitioner could not appear before the Court. But the learned Judge, issued non bailable warrant against the petitioner for his non appearance before the Court and the petitioner was arrested and remanded to judicial custody on 24.02.2021 on execution of non bailable warrant. He would further submit that this is the third application for bail and the earlier applications were dismissed by this Court and the petitioner is ready to appear before the Court regularly and to co-operate for the trial proceedings and that the petitioner has been suffering incarceration for more than 10 months from 24.02.2021. Hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner is a history sheeter and he has got 7 previous cases and that he was absconding for the past 5 years. Therefore, if he is released on bail, he would again abscond and the trial proceedings would be stalled.

5. On seeing the above facts and circumstances of the case and that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed

-sd/-
06/01/2022

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 PRINCIPAL DISTRICT AND
SESSIONS COURT AT CHENGALPET.

2 THE INSPECTOR OF POLICE,
CHENGALPATTU TOWN POLICE STATION,
CHENGALPATTU DISTRICT.



3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. K.SUTHAN Advocate on payment of necessary charges

CRL OP.25290/2021

Date :06/01/2022

JPA 20/01/2022