



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Sixth day of January Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.25294 of 2021

NITHIYA @ NITHIYANANDAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
CHENGALPATTU TALUK POLICE STATION,
CHENGALPATTU DISTRICT.
CR NO.625/2011

[RESPONDENT]

For Petitioner : M/S. K.SUTHAN Advocate

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

PETITION FOR BAIL 439 Cr.P.C.

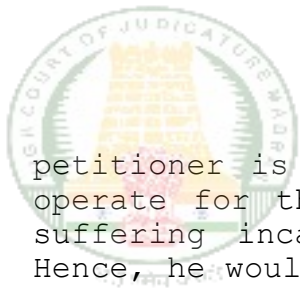
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 26.02.2021 for the alleged offences punishable under Sections 147, 148, 120B, 302 IPC r/w 149, 109 IPC, in Crime No.625 of 2011 on the file of the respondent police in PRC No.8 of 2012 on the file of the Principal District and Sessions Court, Chengalpattu District, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 26.02.2021 on execution of non bailable warrant.

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 26.02.2021 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 that 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 26.02.2021. 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 INSPECTOR OF POLICE,
CHENGALPATTU TALUK POLICE STATION,
CHENGALPATTU DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

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

CRL OP.25294/2021

Date :06/01/2022

INBA~20/01/2022