



Crl.OP.No.18180 of 2023

Crl.O.P.No.18180 of 2023

C.V.KARTHIKEYAN, J.

The petitioner who was arrested and remanded to judicial custody on 13.06.2023 in Crime No.85 of 2020 originally registered under Section 174 Cr.P.C and subsequently altered to Section 302 of IPC, seeks bail.

2.He had filed this application seeking bail in Crl.O.P.No.18180 of 2023. At that particular point of time, the learned Single Judge of this Court had observed the medical records along the photographs produced by the learned counsel for the petitioner and further noticed that the petitioner was bed ridden and was being fed with tube. In view of that medical condition, interim bail was granted to the petitioner for a period of two months from 16.08.2023 to facilitate his medical treatment. The matter was then directed to be listed before this Court on 16.10.2023 and the petitioner was directed to produce medical treatment record.

3.On 16.10.2023, this Court had noted as follows:

“It is stated by the learned Public Prosecutor (Puducherry) that the condition to produce the medical records have not been complied with.

2. The period of interim bail granted has expired. The petitioner is directed to surrender and if he does not surrender, the respondent is directed to take him into custody.



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3.List the petition seeking bail once again on 02.11.2023 by which date, either the petitioner surrenders and remanded into custody or the respondent shall take him into custody.”

4.The learned counsel for the petitioner states that the petitioner is still taking treatment at JIPMER Hospital, Puducherry and further stated that the medical records have been given to the erstwhile counsel and could not therefore be produced.

5.It is very clear that the petitioner is avoiding judicial process and he can very well take treatment even during the period of custody and the Superintendent of Central Jail, Kalapet, Puducherry can very well arrange to give medical treatment to the petitioner herein.

6.The period of interim bail having been expired, there is no other option but to direct the respondent to take the petitioner into custody.

7.The Superintendent of Central Jail, Kalapet, Puducherry may examine whether the petitioner requires further medical treatment and if so, get opinion from the Doctor of the Prison and give necessary and appropriate treatment to the petitioner.

8.Accordingly, this Criminal Original Petition stands dismissed.

02.11.2023

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02.11.2023