



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4657 of 2023

Jeyaprakash

... Petitioner/Accused No.1

Vs

The State Rep.by
The Inspector of Police,
Veeracholan Police Station,
Virudhunagar District.
S.C.No.97/2018.

... Respondent/Complainant

For Petitioner : M/s.Chandra Sekar R,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.97/2018 on the file of the Respondent Police.

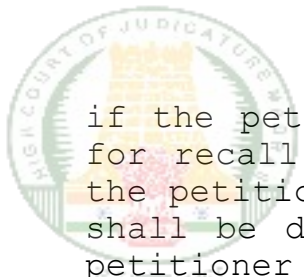
ORDER : The Court made the following order :-

The petitioner/A1 herein was arrested and remanded to judicial custody on 07.11.2022 for the alleged offence under Sections 147,294 (b),341,302 r/w.120(b) of IPC in Crime No.56 of 2017(S.C. No.97 of 2018, Additional District and Sessions Judge, Virudhunagar District) on the file of the respondent police seeks bail.

2. Heard both sides and perused the materials available on record including the First Information Report.

3. It is seen that there are totally nine accused in this case and the petitioner herein is arrayed as A1. Since the petitioner did not appear before the trial Court on 11.08.2022 he was called absent and Non Bailable Warrant was issued against him. Thereafter the petitioner has filed an application before this Court in Crl.O.P (MD) No.16702 of 2022 to recall the Non Bailable Warrant and this Court by an order dated 26.09.2022 had directed the learned Additional District and Sessions Judge, Virudhunagar to pass orders

<https://www.judis.nic.in/>



if the petitioner appears before the trial and file an application for recall. Further in the said order it has been stated that if the petitioner is secured by the police on execution of warrant, he shall be detained in prison till trial is completed. However the petitioner did not surrender before the trial court and he was arrested and produced by the respondent before the trial Court. Further one or other accused are regularly absconding before the trial Court and as such the entire trial has been stalled before the trial Court. If the petitioner is let on bail, he will abscond again and the entire proceedings will be stalled, hence this Court is not inclined to grant bail to the petitioner.

4. In the result, the petition stands dismissed. However the trial Court is directed to complete the trial as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order.

sd/-

13/03/2023

/ TRUE COPY /

/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
VIRUDHUNAGAR.
- 2 THE INSPECTOR OF POLICE
VEERACHOLAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.4657 of 2023

Date :13/03/2023

AAV

PKP/MMS/SAR 2(20.03.2023) 2P 6C