



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 24/04/2023

PRESENT

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

CRL OP(MD) . No.7537 of 2023

Daivendran

... Petitioner / Petitioner /
Accused

Vs

State through
The Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.
(Crime No. 366 of 2016.)

... Respondent / Respondent /
Defacto Complainant

For Petitioner : M/s.Haja Mohideen.A, 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.366 of 2016 on the file of the respondent police.

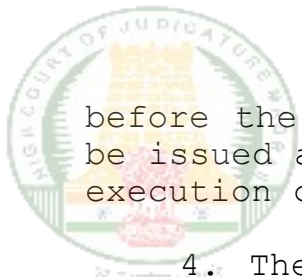
ORDER : The Court made the following order :-

The petitioner/Accused herein was arrested and remanded to judicial custody on 27.09.2022 for the alleged offence under Section 306 of IPC in Crime No.366 of 2016 (S.C.No.123 of 2018 on the file of the Fast Track Mahila Court, Dindigul) on the file of the respondent police seeks bail.

2. Earlier the petitioner was arrested and released on bail. Thereafter the petitioner did not appear before the trial Court , hence Non Bailable Warrant was issued on 08.01.2020. The petitioner was arrested on execution of Non Bailable Warrant on 27.09.2022.

3.The learned counsel for the petitioner would submit that the petitioner is regularly appearing before the trial Court on all dates and due to his family issues he was unable to appear

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before the trial Court, due to which Non Bailable Warrant to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 27.09.2022.

4. The learned Additional Public Prosecutor opposing the bail petition would submit that the petitioner is absconding for nearly two years and with much difficulty the respondent police secured the petitioner. Further, if the petitioner is released on bail, he may abscond again. In this case trial commenced and out of 18 witnesses, 16 witnesses have been examined. Further the prosecution witnesses have categorically deposed the overt act as against the petitioner and at this stage, if the petitioner is granted bail, the entire trial will be stalled.

5. Recording the submission made by the learned Additional Public Prosecutor, this petition stands dismissed. However the trial Court is directed to complete the trial within a period of four weeks from the date of receipt of a copy of this order.

sd/-
24/04/2023

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/04/2023

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

AAV

To

1.The Sessions Judge,
Fast Track Court, Dindigul.

2.The Inspector of Police,
Ammayanaickanur Police Station,
Dindigul District.

3.The Superintendent
Central Jail, Dindigul.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.HAJA MOHIDEEN.A, Advocate (SR-6498[I] dated 25/04/2023)

ORDER
IN
CRL OP(MD) No.7537 of 2023
Date :24/04/2023