



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

Date : 18/05/2023

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8964 of 2023

Raghu

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District..
(in Crime No.304 of 2013)

... Respondent/Complainant

For Petitioner : M/s.Brijsh Kishore.B,
Advocate.
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

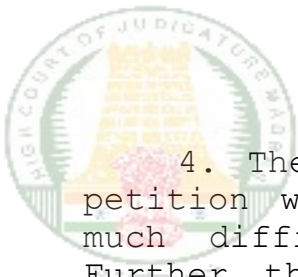
For Bail in Crime No.304 of 2013 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/ sole accused, who was arrested and remanded judicial custody on 28.02.2023 for the offences punishable under Sections 341,294(b) and 307 of IPC in Crime No.304 of 2013, 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 10.01.2019. The petitioner was arrested on execution of Non Bailable Warrant on 28.02.2023.

3.The learned counsel for the petitioner would submit that the petitioner is regularly appearing before the trial Court on all hearing dates and due to his ill health he was unable to appear before the trial Court, due to which Non Bailable Warrant came to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 28.02.2023.



4. The learned Additional Public Prosecutor opposing the bail petition would submit that the petitioner is absconding and with much difficulty the respondent police secured the petitioner. Further there are seven previous cases are pending against the petitioner and earlier on one occasion also the warrant was recalled and thereafter he failed to comply with the condition and at this stage if the petitioner is released on bail, he may abscond again and the entire trial will be stalled.

5. Taking into consideration the nature and gravity of offence committed by the petitioner and also the previous bad antecedents of the petitioner this Court is not inclined to grant bail to the petitioner.

6. Hence the petition stands dismissed. However the trial Court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order.

sd/-

18/05/2023

/ TRUE COPY /

23/05/2023

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

AAV

TO

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

ORDER

IN

CRL OP(MD) No.8964 of 2023

Date :18/05/2023

SS/CG/SAR /23/05/2023/2P/5C