



CRL OP(MD). No.8403 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8403 of 2024

Sekar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
Crime No.166 of 2014

... Respondent/Complainant

For Petitioner : M/s.T.A.Ebenezer, Advocate.

For Respondent : Mr.M.Sakthikumar, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest or surrender in S.C.No.197 of 2017 on the file of the learned Sessions Judge, Mahalir Neethimandram, Thanjavur District in Crime No.166 of 2014 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is an accused in S.C.No.197 of 2017 on the file of the learned Sessions Judge, Mahalir Neethimandram, Thanjavur District, has filed this application seeking anticipatory bail. The said case was registered for the offence under Section 302 of IPC @ Sections 364 and 302 of IPC r/w Section 4(A)(2)(1) of the



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Tamil Nadu Prohibition of Women Harassment Act, 1998, in Crime No.166 of 2014 on the file of the respondent police.

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2.The petitioner is the sole accused. The allegation against the petitioner is that he murdered his wife. The occurrence has taken place in the year 2014 and the final report has been filed in the year 2016. The case was also committed to the Court of Sessions in the year 2017 and same is pending in S.C.No.197 of 2017 before the learned Sessions Judge, Mahalir Neethimandram, Thanjavur District.

3.The learned counsel for the petitioner submits that the petitioner is working in Singapore and he was not aware of the case. He further submits that the petitioner is ready to appear before the trial Court and to co-operate for the trial.

4.The learned Government Advocate (Crl.Side) submits that the petitioner absconded in the year 2018, for which, the trial Court has issued Non-Bailable Warrant against him on 23.04.2018. The petitioner could not be secured for the past six years and therefore, the trial is still pending. They have also issued a Lookout circular on 16.05.2023.

5.This Court considered the rival submissions made.

6.The petitioner is the sole accused in this case. He has also appeared before the Court below for the committal proceedings and he was aware of the Sessions case, which is pending from the year 2017. Non-Bailable Warrant was issued only on



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23.04.2018. The petitioner has evaded the trial proceedings for the past six years and therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this petition is dismissed with a direction to the petitioner to surrender before the trial Court and to co-operate for the trial, within a period of two weeks from the date of receipt of a copy of this order. In the event, if the petitioner fails to surrender within two weeks, the respondent police shall take necessary steps to deport the petitioner through the High Commission in Singapore and thereafter, the trial Court shall conclude the trial as expeditiously as possible.

sd/-
14/06/2024

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/06/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

1 THE SESSIONS JUDGE, MAHALIR NEETHIMANDRAM,
THANJAVUR DISTRICT.

2 THE INSPECTOR OF POLICE, ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-6545[I] dated 14/06/2024)



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ORDER

IN

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Date :14/06/2024

RS/VR/SAR-(27.06.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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