



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1330 of 2025

Vadivel @ Vasanthakumar
S/o.Chinnasamy, No.1/139, Main Road, Vettaikaran
Temple, Madachur, Nagadevanpalayam, Erode.

Petitioner(s)

Vs

State Rep.By
The Inspector Of Police, Karimangalam Police Station,
Dharmapuri District.Cr.No.100 Of 2006

Respondent(s)

For Petitioner(s):

M/s.E.Kannadasan
R.Thulasi
S.Priyadarshini
M.Sathishkumar
A.Ajay

For Respondent(s):

Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in P.R.C.No.19 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Karimangalam, Dharmapuri District, in connection with Crime No.100 of 2006 on the file of the respondent Police registered for the offence under Sections 363, 404, 302 r/w 109, 34, 201 of IPC, is on board for consideration.



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2. Learned counsel for the petitioner submits that the petitioner, who is arrayed as A1, is facing trial in P.R.C.No.19 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Karimangalam, Dharmapuri District. He further submits that the petitioner was regularly appearing before the trial court on all hearing dates, however, due to his poor health condition, he was unable to appear before the trial court, thereby, the non bailable warrant was issued against him on 04.06.2019 and pursuant to the same, he was arrested on 06.12.2024. He also submits that the petitioner undertakes that he will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent, while objecting for grant of bail, submits that the petitioner/A1, who is facing charges in P.R.C.No.19 of 2024 in connection with Crime No. 100 of 2006, failed to appear before the trial Court, thereby, the non-bailable warrant came to be issued against him in the year 2019 and the same was executed only on 06.12.2024. He further submits that it is a case of double murder and due to the absence of the petitioner, the case was split up against the co-accused and numbered as S.C.No.68 of 2010, in which, the co-accused was found guilty and convicted. He also submits that the petitioner was secured with great difficulty after five years and therefore, if



the petitioner is enlarged on bail at this stage, there is a possibility of him absconding again and not available for trial proceedings.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perusing the materials available on record and finding that due to the absence of the petitioner, the double murder case registered in the year 2006 has been prolonged till now and the petitioner was secured only after five years, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, the Criminal Original Petition stands dismissed. However, the learned District Munsif cum Judicial Magistrate, Karimangalam, Dharmapuri District, is directed to commit the case pending in P.R.C.No.19 of 2024 to the Court of Sessions as expeditiously as possible.

21-01-2025

To

1. The District Munsif cum Judicial Magistrate,
Karimangalam, Dharmapuri District.
2. The Inspector Of Police, Karimangalam Police Station,
Dharmapuri District.Cr.No.100 Of 2006

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A.D.JAGADISH CHANDIRA.,J.

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