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Crl.O.P.No.32555 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32555 of 2024

Natarajan

... Petitioner

Vs.

The State, represented by
Inspector of Police
KV.Kuppam Police Station
(Crime No.5 of 2021)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in C.C.No.83 of
2021 (on the file of the Judicial Magistrate, Katpadi, Vellore District).

For Petitioner : Mr.S.Thirugnanam

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

ORDER

Petition seeking bail in C.C.No.83 of 2021 (on the file of the Judicial
Magistrate, Katpadi, Vellore District), in respect of Crime No.5 of 2021
registered for the offence punishable under Section 393 of IPC is on board for
consideration.



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2.The incarceration of the petitioner being from 25.09.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that since the petitioner was in judicial custody in some other case in Bangalore Central Prison, he has not appeared before the Judicial Magistrate, Katpadi in C.C.No.83 of 2021 and the learned Judge concerned issued a Non Bailable Warrant of arrest against him on 08.09.2023 and subsequently the petitioner was produced under PT warrant on 25.09.2024. He further undertakes that the petitioner 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.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail, submits that the petitioner, who is facing trial in C.C.No.83 of 2021 on the file of the learned Judicial Magistrate, Katpadi, failed to appear before the Court on 08.09.2023, as a result, the Judge concerned issued a Non-Bailable Warrant for his arrest, which was executed on 25.09.2024. He further submits that there are six previous cases against the petitioner. He further submits that the case is now posted on 29.01.2025 for recording statement under Section 313 of CrPC before the learned



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Judicial Magistrate, Katpadi. He further submits that if the petitioner is granted bail, there is a high risk that he may abscond again and become unavailable for trial proceedings.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed with a direction to the learned Judicial Magistrate, Katpadi to complete the trial and pass orders as expeditiously as possible, within a period of two weeks from today (27.01.2025).

27.01.2025

sai

Note: Registry is directed to issue order copy on 28.01.2025.



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A.D.JAGADISH CHANDIRA, J.
sai

To

1.The Judicial Magistrate, Katpadi

2.The Inspector of Police,
KV.Kuppam Police Station.

3.The Public Prosecutor,
High Court of Madras.

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27.01.2025