

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,

Vacation Sessions Judge, Theni,

Dated this the 13th day of May 2024

CrI.M.P.No.32/2024

CNR.No.TNTH00-000032-2024

Rajan @ Nagesh

... Petitioner/Accused

-Versus-

State through the Inspector of Police,

Uthamapalayam P.S. in

Cr.No.68/2014

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Legal Aid Defense Counsel System for the petitioner and the Learned Public Prosecutor for the State and this Court passed the following :

ORDER

This petition has been filed by the petitioner/accused U/s.439 of Code of Criminal Procedure seeking bail.

2. The Nitty-Gritty of the prosecution case is as follows:

The petitioner is charge sheeted U/s.294 and 302 of IPC and PRC No.12 of 2015 is pending on the file of Learned Judicial Magistrate at Uthamapalayam. A Nonailable Warrant was issued against the petitioner and he was secured on 28.03.2024 after 8 years.

3. Heard both sides.

4. The points for determination is that can bail be granted to the petitioner?

..2..

Answer :

5. The petitioner is charge sheeted U/s.302 and 294(b) of IPC. The final report was taken on file as PRC Np.12/2015 on the file of Learned Judicial Magistrate at Uthamapalayam. In the said case Non Bailable Warrant was pending against the petitioner for about 8 years. Only on 28.03.2024 the petitioner was secured on Non Bailable Warrant. The records further shows that even after proclamation issued, the petitioner has not appeared before the concerned court. Therefore having regard to the fact that the petitioner was absconding for about 8 years, I am not inclined to release the petitioner on bail.

In fine, the petition is dismissed.

Pronounced by me in open Court on this the 13th day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Uthamapalayam.