

In the Court of the Principal District Judge, Madurai.

Present : **Thiru.M. Balakumar, B.A., M.L.,**

(V Additional District Judge, Madurai)

Principal District Judge, Madurai. (i/c)

Thursday, this the 10th day of September -2020.

Crl.M.P.No.3927/2020

Kannan, S/o.Periyanaicker

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Anna Nagar P.S. Cr.No.106/2018

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.S.P.Panneer Selvam, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1. Bail application under section 439 of Cr.P.C.

2. The offences alleged are under section 302 and 341 of IPC.

3. Heard both sides.

4. The learned counsel for the petitioner argued that the petitioner was arrested on execution of Non Bailable Warrant and he is in custody for the period of 395 days. Hence, he may be released on bail on stringent condition.

5. Per contra, the learned public prosecutor argued that when the case is posted for trial before the Principal District Court, the accused not

appeared and Non Bailable Warrant issued against him, he was secured only after hectic effort after 7 months he was previously working in the canteen of Aravind Hospital, he has no permanent residence, hence, it is not possible to secure the accused, if he is released on bail. He strongly objected to release the accused on bail.

6. Therefore, considering the fact that the accused is not having permanent address and he is not regular in appearing before the court and considering the long pending of Non Bailable Warrant before he was arrested, this court is not inclined to grant bail to the petitioner. The bail petition deserves to be dismissed.

7. In the result, the bail petition is dismissed.

Pronounced by me in Open Court on the 10th day of September -2020.

Sd/- M. Balakumar
V Additional District Judge, Madurai
Principal District Judge, Madurai.(i/c)

Copy to

1. The Judicial Magistrate concerned.