

Crl.O.P.No.22172 of 2016**R.MALA,J.**

The petitioner was arrested and remanded to judicial custody on 04.07.2016 for the alleged offence punishable under Sections 302, 380 of IPC, in Crime No.246 of 2008 on the file of the respondent police and hence, prays for enlargement on bail.

2.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that because of the non-appearance of the petitioner, Non-bailable warrant has been issued and he was remanded to judicial custody from 04.07.2016. Therefore, the petitioner has filed an petition a before the learned Principal Sessions Judge, Puducherry and the same dismissed on 20.09.2016. Since the custodial interrogation is over, the petitioner prays for enlargement on bail.

3.Resisting the same, the learned Government Advocate (Pondicherry) would submit that the petitioner was jumped out on bail on two occasions and due to his non-appearance the case has been pending for more than 7 years. He would further submit that if he is enlarged on

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bail, he will commit the same offence and hence he prays for dismissal of this application.

4. This Court has called for the status report, which reveals that the petitioner is the sole accused in this case and due to his non-appearance, NBW has been issued and on execution of NBW, he was arrested and he was enlarged on bail. Thereafter, he was subsequently absconding.

5. Considering the above facts and the conduct of the petitioner, I am not inclined to grant bail to the petitioner and accordingly, this Criminal Original Petition is dismissed. However, the learned Principal Sessions Judge, Puducherry is directed to dispose of S.C.No.70 of 2008 within a period of one month from the date of receipt of copy of this order.

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25.10.2016

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