



CrI.OP.No.16174 of 2022

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G.K.ILANTHIRAIYAN,J.

The petitioner was arrested on 07.04.2022, on execution of Non-Bailable Warrant issued by the learned Additional District Judge, Chengalpattu for the offence under Sections **147, 148, 323, 324, 302 and 149 of IPC** pending trial in S.C.No.26 of 2017 in respect of crime No.1449 of 2016 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution is that the petitioner has been arrayed as an accused in Crime No.1449 of 2016 under Sections **147, 148, 323, 324, 302 and 149 of IPC** and after filing charge sheet, the same was pending before the learned Additional District Judge, Chengalpattu. Thereafter, the petitioner did not appear before the lower Court regularly. Hence, the lower Court has issued Non-Bailable Warrant against the petitioner on 15.12.2027. Thereafter, the petitioner was arrested on 07.04.2022.



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3.The learned counsel appearing for the petitioner would submit that the non-appearance before the lower Court by the petitioner is neither wilful nor wanton. However, he would also submit that the petitioner is ready to abide any condition as imposed by this Court and seeks for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the lower Court has issued Non-Bailable Warrant against the petitioner on 15.12.2017. Thereafter, the petitioner was arrested on 07.04.2022. He would further submit that the case is pending for trial from the year 2017. Hence, he vehemently opposed to grant bail to the petitioner.

5. The petitioner was arrested and released on bail in crime No.1449 of 2016. After completion of investigation, the respondent filed final report and the same has been taken cognizance in SC.No.26 of 2017 pending on the file of the learned Additional District Judge, Chengalpattu. However, the petitioner was absent before the trial court. As such, Non Bailable Warrant was issued against him and the same was executed and he was remanded to judicial custody on 07.04.2022.



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6.Considering the above facts and circumstances of the case and also considering that while pending NBW, the petitioner had committed other offences, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

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