



CrI.OP.No.20335 of 2022

CrI.O.P.No.20335 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested on 10.06.2022, on execution of Non-Bailable Warrant issued by the learned District Munsif Cum Judicial Magistrate, Madathukulam for the offence under Sections **392 read with 34 of IPC** pending trial in **C.C.No.73 of 2019** in respect of **crime No.110 of 2017** 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.110 of 2017 under Sections **392 read with 34 of IPC** and after filing charge sheet, the same was pending before the learned District Munsif Cum Judicial Magistrate, Madathukulam. Thereafter, the petitioner did not appear before the trial Court 28.09.2018. Hence, the lower Court has issued Non-Bailable Warrant against the petitioner and the petitioner was arrested on 10.06.2022.

3.The learned counsel appearing for the petitioner would submit that the non-appearance before the lower Court by the petitioner is



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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, apart from this case, there are seven previous cases pending against the petitioner. He would further submit that the case is pending for trial from the year 2018. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that, the petitioner was arrested and released on bail in crime No.110 of 2017. After completion of investigation, the respondent filed final report and the same has been taken cognizance in **C.C.No.73 of 2019** pending on the file of the learned learned District Munsif Cum Judicial Magistrate, Madathukulam. However, the petitioner was absent before the trial court on 28.09.2018. As such, Nonailable Warrant was issued against him and the same was executed and the petitioner was remanded to judicial custody on 10.06.2022.



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6.Considering the above facts and circumstances of the case and also considering the bad antecedents of the petitioner having seven previous cases pending against him, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed with a direction that the trial Court shall complete the trial within a period of six months from the date of receipt of copy of this order.

30.08.2022

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