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Crl.O.P.No.26269 of 2022

M.DHANDAPANI,J.

The petitioner who was arrested on 22.09.2020 for the offence under Sections 147, 148, 302 @ 120(b), 148, 302 r/w. 120(b), 212 of I.P.C. in Cr.No.356 of 2010 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner was implicated for the offence under Sections 147, 148, 302 @ 120(b), 148, 302 r/w. 120(b), 212 of I.P.C. Subsequently, the petitioner was enlarged on bail. When the case was posted for hearing he did not appear before the Court. Accordingly, the lower Court issued Non Bailable Warrant against the petitioner on 05.12.2019 for his non appearance and he was secured on 22.09.2020.

3.The learned counsel appearing for the petitioner would submit that already the petitioner was enlarged on bail by the concerned lower Court, however, his non appearance before the lower Court is neither willful nor wanton, he was unable to appear before the lower Court. Hence, Non Bailable Warrant was issued against the

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petitioner.

4.The learned Government Advocate (Crl. Side) would submit that the petitioner is a history sheeted accused and there are thirteen previous cases as against the petitioner and would further submit that there is no progress in the trial of the case and vehemently opposed for grant of bail to the petitioner.

5.Considering the fact that the petitioner is a history sheeted accused and since there are thirteen previous cases as against the petitioner, and this Court dismissed the bail petition filed by the petitioner in Crl.O.P.No.16557 of 2021 on 09.09.2021, and that there is no change of circumstances. Hence, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

10.11.2022

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