



Crl.O.P.No.25836 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 12.08.2022, for the offences punishable under Sections 147, 148 & 302 r/w 109 & 149 IPC, in Crime No.158 of 2017 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner would submit that the petitioner is facing trial in S.C.No.89 of 2019 pending on the file of the learned III Additional Sessions Judge, Puducherry. He would further submit that since, the petitioner did not appear before the Court due to his illness, a Non Bailable Warrant was issued against them on 23.01.2020 and the petition filed by the petitioner under Section 317 Cr.P.C., was also dismissed. He would further submit that the petitioner has surrendered before the learned Court and he has also been remanded to judicial custody on 12.08.2022. He would also submit that the petitioner is in custody from 12.08.2022 and he is ready to abide by any stringent



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conditions that may be imposed on him and hence, he prays for grant of bail to the petitioner.

3. The learned Public Prosecutor (Puducherry) appearing for the respondent would submit that the petitioner, who is arrayed as A3 in this case, is facing trial in S.C.No.89 of 2019 pending on the file of the learned III Additional Sessions Judge, Puducherry. He would further submit that there are 12 accused in this case. He would further submit that the petitioner, while the learned trial Court was about to frame charges, absconded on 23.01.2020 and continuously absconded for the past 2 years and 7 months and thereby, the trial Court was unable to proceed further. He would further submit that if the bail is granted to the petitioner at this stage, there is every possibility for him to abscond again and thereby, preventing the learned trial Judge from framing charges. He would also submit that till such time the charges are framed, the bail may be dismissed. He would also submit that the petitioner is a habitual offender against whom there are 20 previous cases and out of which, 3



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cases have been registered, after he got absconded. Therefore, he oppose for grant of bail to the petitioner.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor (Puducherry) for the respondent Police and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case and the submission made by the learned Public Prosecutor (Puducherry) and also considering the allegations as against the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

03.11.2022

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