



Crl.O.P.No.26423 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who was arrested and remanded to judicial custody on 10.03.2022 for the offence punishable under Section 392 of IPC in Crime No.71 of 2022, seeks bail.

2. The case of prosecution is that the petitioner along with other accused waylaid the defacto complainant on 28.01.2022, threatened him with knife and robbed his cell phone and also taken away his two wheeler. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely roped into this case. He would submit that the petitioner was arrested on 10.03.2022 and he is in judicial custody for more than 8 months. Hence, he prays for grant of bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is a habitual offender against whom there are 8 previous cases pending against him, out of which, 6 cases are similar in nature and one case was registered for the offence under NDPS Act and another case was registered for the offence under Section 302 of IPC. He would submit that the petitioner is regularly in the habit of committing robbery. He would further submit that the investigation has been completed and the final report has also been filed and the case now taken up for trial in C.C.N.905 of 2022 on the file of the learned Judicial Magistrate No.II, Coimbatore. He would also submit that the copies have been served on the petitioner and other accused and there are 11 witnesses in this case and the respondent will be able to complete the trial within a period of three months from today. Hence, he opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.



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6.Taking into consideration the facts and submissions of the learned counsel and also of the fact that the petitioner is a habitual offender against whom there are 8 previous cases pending against him, out of which, 6 cases are similar in nature and that there is also one another case for the offence under Section 302 of IPC is pending against him, this Court is not inclined to grant bail to the petitioner.

7. However, the learned trial Judge is directed to complete the trial in connection with C.C.No.905 of 2022 within a period of four months from the date of receipt of a copy of this order.

8.Accordingly, this Criminal Original Petition stands dismissed.

01.11.2022

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