



Crl.O.P.No.26955 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 23.11.2021, for the offences punishable under Sections 120(b), 147, 148, 449, 302, 149 & 109 IPC r/w Section 3(9), 4(b) of Explosive Substance Act, 1908, in Crime No.265 of 2010 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner would submit that the petitioner/A12 is facing trial in S.C.No.81 of 2022 pending on the file of the learned Principal Sessions Judge, Villupuram. He would further submit that since, the petitioner was arrested in some other case, he was unable to appear before the Court on 17.08.2021, due to which, a Non Bailable Warrant was issued against the petitioner and pursuant to which, he was arrested under P.T.Warrant on 23.11.2021. He would also submit that the



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petitioner is ready to abide by any stringent conditions that may be imposed on him and prepared to furnish the sufficient sureties and hence, he prays for grant of bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that it is the case of the year 2010 and there are 27 accused in this case and the petitioner, who is arrayed as A12 in this case, is facing trial in S.C.No.81 of 2022 pending on the file of the learned Principal Sessions Judge, Villupuram. He would further submit that since the petitioner did not appear before the Court on 17.08.2021, a Non-Bailable Warrant was issued against him and pursuant to which, he was produced on PT warrant on 23.11.2021. He would further submit that the accused one after another are not appearing before the Court and thereby, the learned trial Court is unable to frame charges and to proceed the trial. He would also submit that if the bail is granted to the petitioner at this stage, there is every possibility for him to abscond again and thereby, it would derail the progress of the trial. He would also submit that the case



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is now stands posted for framing on charges on 29.11.2022. Therefore, he oppose for grant of bail to the petitioner.

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

5. Taking into consideration the facts and circumstances of the case, the submission made by the learned Government Advocate (Crl.Side) and also considering the fact that the case is of the year 2010 and on account of the accused absconding one after another, the learned trial Court is unable to frame charges, this Court is not inclined to grant bail to the petitioner.

6. At this juncture, the learned counsel for the petitioner would pray that liberty may be granted to the petitioner to move the bail application, once the charges are framed.



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7. Recording the same, this Criminal Original Petition stands dismissed for the present and the liberty is granted to the petitioner to file a bail application after framing of charges.

04.11.2022

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