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Crl.O.P.No.28207 of 2022

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A.D.JAGADISH CHANDIRA, J.

This Criminal Original Petition has been filed seeking to enlarge the petitioner herein on bail in S.C.No.50 of 2008 on the file of the learned Additional District and Sessions Judge, Chengalpattu in connection with the Crime No.183 of 2002, on the file of the respondent police.

2. The learned counsel for the petitioner would submit that this is the 2nd petition for bail and the earlier petition for bail was dismissed on the ground that the petitioner has absconded on 22.04.2014 and that he is having a habit of absconding again and again. He would submit that the case now stands posted for framing of charges on 25.11.2022 and that the petitioner is ready to appear before the trial Court on all hearing dates. Thereby, he seeks for grant of bail to the petitioner.



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3. Per contra, the learned Government Advocate (Crl.side) appearing for the respondent would submit that it is the crime of the year 2002 and the case is pending for more than 20 years. He would submit that the petitioner has the habit of absconding again and again and thereby, there has been delay in the trial. He would further submit that in respect of the co-accused, trial had been conducted in S.C.No.50 of 2008 and he has been acquitted. There are 11 witnesses in this case and if bail is granted to the petitioner, there is every chance of abscondence of the petitioner and derail the progress of trial. He would further submit that the respondent is ready with the witnesses and the respondent will be able to complete the trial within 4 months and thereby, seeks for dismissal of the bail petition and that a direction may be issued to complete the trial within a specific period.

4. Taking into consideration the facts and submissions, after the framing of charges on 25.11.2022, the trial shall be completed by the trial Court within in a period of four months from thereon.



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5. With the above direction, this Criminal Original Petition is disposed of.

17.11.2022

mpl

Note: Issue Order copy by today (23.11.2022)



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