



Crl.O.P.No.29076 of 2022

A.D.JAGADISH CHANDIRA, J.

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The petitioner, who was arrested and remanded to judicial custody on 14.02.2015 for the offences punishable under Sections 392, 394 r/w 397 of IPC in Crime No.350 of 2015 on the file of respondent police, seeks bail.

2. The case of the prosecution is that on 13.02.2015, the petitioner along with the other accused had waylaid the defacto complainant and at the knife point, had robbed a sum of Rs.800/- from his pocket. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an accused in S.C.No.228 of 2018 on the file of XV Additional Sessions Court at Chennai. He would submit that due to illness, the petitioner was unable to appear before the Court on 23.08.2021 and therefore, the learned Judge had issued a Nonailable warrant against the petitioner. Pursuant to which, the petitioner was arrested on 09.09.2022. He would submit that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

4. The respondent filed a detailed counter.



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5. The learned Government Advocate (crl.side) appearing for the respondent would submit that the petitioner is an habitual offender and there are 13 previous cases pending against him. Though the non bailable warrant has been issued against the petitioner on 23.08.2021, the petitioner was arrested on 09.09.2022 and he was absconding for more than 8 months. He would submit that there are 10 witnesses in this case and the case is pending for examination of the witnesses. Since the petitioner is an habitual absconder, if bail is granted to the petitioner, there is every possibility of the petitioner to be absconded again by derailing the progress of the trial. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by both the learned counsel and also taking note of the fact that there are 13 previous cases pending against the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

25.11.2022

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