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CrI.O.P.No. 29930 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 03.03.2022 for the alleged offence under Sections 376 of I.P.C. in Crime No.1664 of 2012 on the file of the respondent police, pending trial in S.C.No.173 of 2016 on the file of Mahila Sessions Judge, Chennai, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested on 03.03.2022 pursuant to the non-bailable warrant issued against him.

3. The learned counsel appearing for petitioner would submit that due to non-communication between his counsel and the petitioner, he unable to attend the court on the date of hearing i.e. on 06.01.2017, the learned Judge ordered non-bailable warrant against the petitioner, thereby he was detained under PT warrant on 03.03.2022 on execution of non-bailable warrant. He would submit that he is in jail from 03.03.2022. Hence, he prayed to grant bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is absconding for more than five years and thereafter, after hectic efforts, he was secured only on 03.03.2022. He would further submit that now for examination of witnesses, the case is posted on 16.12.2022. Hence, if he is released on bail, there is possibility of hampering the investigation. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that after five years, he was secured and he has no permanent address and now the case is at the stage of examining witnesses, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

12.12.2022

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