



CrI.O.P.No. 30364 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 24.03.2022 for the alleged offence under Sections 397 of I.P.C. r/w 34 of I.P.C. in Crime No.371 of 2013 on the file of the respondent police, pending trial in S.C.No.217 of 2015 on the file of learned Principal Asst. Sessions Judge at Cuddalore, seeks bail.

2. It is a case of jumped bail. The petitioner was originally arrested on 14.03.2022 in Crime No.101 of 2022 on the file of Kandamangalam Police Station for an offence under Sec.341, 352, 506(ii) and 392 of I.P.C. and now he was arrested on 24.03.2022 in pursuant to the non-bailable warrant issued against him.

3. The learned counsel appearing for petitioner would submit that when the case is posted for hearing on 12.07.2019, he unable to attend the court on the date of hearing, the learned Judge ordered non-bailable warrant



Crl.O.P.No. 30364 of 2022

WEB COPY

against the petitioner, thereby he was detained under PT warrant on 24.03.2022 on execution of non-bailable warrant. He would submit that the petitioner was detained under Goondas Act and subsequently the Government revoked the detention order in G.O. No. (Rt) No.2870, dated 18.05.2022. He would submit that already two previous cases are ended in acquittal and on 20.09.2022, the co-accused was granted bail and he is still appearing before the trial court. He would submit that he is in jail for more than 9 months from 24.03.2022 and the trial court is not conducting trial. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that from 2019 onwards, he is absconding and he is having 35 previous cases including three murder cases and 7 cases under Sec.307 I.P.C. pending against the petitioner and the petitioner is arrayed as A4. He would submit that the petitioner is absconding for more than one year and thereafter, after hectic efforts, he was secured only on 24.03.2022. He would submit that only after securing him, there was a progress in the trial and hence, if he is released on bail, there is possibility



Crl.O.P.No. 30364 of 2022

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 one year, he was secured and there are 35 cases including 3 cases under Sec.302 I.P.C. and 7 cases under Sec.307 I.P.C. pending against him and after securing him only, there is a progress in the trial and also considering the fact that if he is released on bail, he would hamper the investigation and tamper the witnesses, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

15.12.2022

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Crl.O.P.No. 30364 of 2022

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 30364 of 2022

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