



CrI.O.P.No. 31619 of 2022

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**T.V.THAMILSELVI, J.**

The petitioner, who was arrested and remanded to judicial custody on 22.10.2021 for the alleged offence under Sections 304A, 147, 341, 302, 364, 201, 120(b), r/w 109, 34 of I.P.C. in Crime No.293 of 2012 on the file of the respondent police, pending trial in S.C.No.417 of 2021 on the file of learned III Addl. Sessions Judge, Kallakurichi, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 22.10.2021 pursuant to the non-bailable warrant issued against him.

3. The learned counsel appearing for petitioner would submit that earlier he was granted bail and he was regularly appearing before the trial court. However, on 09.10.2018, due to non-appearance of the petitioner before the trial court, the learned Judge ordered non-bailable warrant against the petitioner, thereby he was detained under PT warrant on



CrI.O.P.No. 31619 of 2022

WEB COPY

22.10.2021 on execution of non-bailable warrant. He would submit that he is in jail from 22.10.2021 and this is the second petition seeking for bail before this court. He would submit that so far, there was no progress in the trial proceedings. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that for more than three years, he is absconding and thereafter, after hectic efforts, he was secured only on 22.10.2021. He would further submit that the criminal case registered in the year of 2021 and Sessions Case is of the year 20121 so after securing him only, the trial court has to commence the trial. He would submit that there are 5 previous cases including 3 cases under Sec.302 I.P.C. pending against the petitioner. Hence, if he is released on bail, there is possibility of hampering the investigation. Therefore, he vehemently opposed to grant bail to the petitioner.



CrI.O.P.No. 31619 of 2022

WEB COPY

5. Considering the facts and circumstances of the case and also considering the fact that for more than three years, he absconded and he was secured only on 22.10.2021 and after securing him only, some process in the trial and now P.W.1 was examined, and there are five previous cases including three cases under Sec.302 I.P.C. pending against him, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial court is directed to complete the trial and dispose the case within a period of three months from the date of receipt of copy of this order.

**22.12.2022**

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Crl.O.P.No. 31619 of 2022

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rpp

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