



Crl.O.P.No. 63 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 06.09.2022 for the offences under **Section 397 r/w 34 I.P.C.** in Crime No.778 of 2012, on the file of the respondent police, pending trial in P.R.C.No.3 of 2015 on the file of the learned Judicial Magistrate, Sankarapuram, Kallakurichi District, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 06.09.2022 on execution of non bailable warrant issued against him.

3. The learned counsel for the petitioner would submit that the petitioner was earlier granted bail and thereafter, he was regularly appearing before the trial Court. As the petitioner was unable to appear before the trial court for the hearing, the learned Magistrate issued non



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bailable warrant against the petitioner following which, the petitioner was arrested and remanded to judicial custody on 06.09.2022. He would submit that the petitioner has been suffering incarceration from 06.09.2022. He would further submit that the petitioner is ready to appear before the Court regularly and to co-operate for the trial. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that the petitioner is having 11 previous cases and when he did not appear before the trial Court for several hearings, non bailable warrant was issued against him and after 7 years, he was secured on 06.09.2022. He would submit that now the trial court is taking steps to split up the case and to take case on file. Hence, if he is released on bail, he may abscond and the trial would be stalled.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the fact that he is having 11 previous cases and after 7 years, he was secured and also



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considering the fact that if he is released on bail there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

04.01.2023

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