



Crl.O.P.No. 674 of 2023

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

The petitioner, who was arrested and remanded to judicial custody on 09.10.2022 for the alleged offence under Sections 147, 148, 302, 324, 506(ii) r/w 149 of I.P.C. in Crime No.1004 of 2020 on the file of the respondent police pending trial in S.C. No.117 of 2020 on the file of learned XVIII Addl. Judge, City Civil Court, Chennai, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 09.10.2022 pursuant to the non-bailable warrant issued against him.

3. The learned counsel appearing for petitioner would submit that the petitioner was earlier granted bail and thereafter, he was regularly appearing before the trial Court. From 21.12.2020 to 26.09.2022, due to ill-health and he was under treatment for surgery, he was unable to appear before the Court and subsequently, the learned Magistrate issued non



Crl.O.P.No. 674 of 2023

WEB COPY

bailable warrant against the petitioner on 26.09.2022, thereby he was detained under PT warrant on 09.10.2022 on execution of non-bailable warrant. He would submit that he is an innocent person and he has been falsely implicated in this case. He would submit that he has not at all committed any offence and he is ready to abide any condition that may be imposed by this court. He would submit that he 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) appearing for respondent would submit that as he was not appeared before the trial court from 21.12.2020 to 26.09.2020, the learned Magistrate issued PT warrant and subsequently, the petitioner was arrested on 09.10.2022 on execution of PT warrant. He would submit that totally, there are 5 accused and the petitioner is arrayed as A4. He would submit that for the past two years, he absconded and he was secured only on 09.10.2022. He would further submit that after securing him only, there is a progress in the trial and now P.W.1 was examined. He would submit that they will complete the trial



Crl.O.P.No. 674 of 2023

within two months. 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 above facts and circumstances and also the fact that for the past two years, he absconded and after securing him only, there is a progress in the trial and now P.W.1 was examined, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, since the accused is in judicial custody for more than 3 months from 09.10.2022, the trial court is directed to complete the trial within a period of two months from the date of receipt of copy of this order.

**11.01.2023**

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