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Crl.O.P.No. 1876 of 2023

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

The petitioner, who was arrested and remanded to judicial custody on 20.09.2022 for the alleged offence under Sections 147, 148, 302, 324, 506(ii) r/w 149 I.P.C. in Crime No.515 of 2020 on the file of the respondent police, pending trial in S.C.No.117 of 2020 on the file of 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 20.09.2022 pursuant to the non-bailable warrant issued against him.

3. The learned counsel appearing for petitioner would submit that due to absence of petitioner on the date of hearing i.e. on 21.12.2020, the learned Judge ordered non-bailable warrant against the petitioner, thereby he was detained under PT warrant on 20.09.2022 on execution of non-bailable warrant. He would submit that he is in jail from 20.09.2022 and this is the third petition seeking for bail before this court. 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 absconded for more than 2 ½ years and thereafter, after hectic efforts, he was secured only on 20.09.2022. He would submit that now two witnesses were examined and the trial is in progress and they would complete the trial within three months. He would submit that he is having 2 previous cases including Sec.302 and Sec.397 of I.P.C. are pending against him. He would further submit that if he is released on bail, there is possibility of hampering the investigation and tampering the witnesses and this is the third petition seeking for bail. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and considering the gravity of offence committed by the petitioner and also the fact that after 2 ½ years, he was secured and considering the fact that now two witnesses were examined and the trial is in progress and now, if he is released on bail, there is



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possibility of hampering the investigation and tampering the witnesses, 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.

**30.01.2023**

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