



CrI.O.P.No. 1097 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 02.01.2023 for the alleged offence under Sections 294(b), 392, 397, 427, 506(ii) of I.P.C. in Crime No.47 of 2018 on the file of the respondent police, pending trial in S.C.No. 76 of 2020 on the file of II Addl. Sessions Judge, Chennai seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 02.01.2023 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. On 01.06.2022, as he was arrested on 26.05.2022 in another case in Crime No.140 of 2022, he was unable to appear before the Court and subsequently, the learned Magistrate issued non bailable warrant



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against the petitioner following which, the petitioner was arrested and remanded to judicial custody on 02.01.2023. He would submit that the petitioner has been suffering incarceration from 02.01.2023. 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 (CrI. Side) raised objection stating that totally, there are 23 previous cases including 11 cases under Sec.307 of I.P.C. are pending against him and he is a notorious person. He would submit that when he did not appear before the trial Court on 01.06.2022, non bailable warrant was issued against him and he was arrested on 02.01.2023. He would also submit that he absconded for more than 6 months and after securing him only, the trial is in progress and the trial would be completed within six months and all the other cases are in trial stage. Hence, if he is released on bail, he may abscond and the trial would be stalled.



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5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner and he absconded for more than 6 months and after securing him only, there is a progress in trial and all the other cases are at trial stage and now, 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. However, the trial court is directed to complete the trial and dispose the case within a period of four months from the date of receipt of copy of this order.

27.01.2023

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