



Crl.O.P.No. 1916 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 29.11.2019 for the alleged offence under Sections 341, 302 r/w 34 of I.P.C. in Crime No.505 of 2015 on the file of the respondent police, pending trial in S.C.No.195 of 2015 on the file of learned V Addl. Judge, City Civil Court and Sessions Judge, Chennai, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 29.11.2019 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 06.03.2016, the learned Judge ordered non-bailable warrant against the petitioner, thereby he was detained under PT warrant on 29.11.2019 on execution of non-bailable warrant and in fact, the very same respondent police arrested the petitioner in Crime No.1210 of 2016. In such circumstances, for the sake of saving his life and eke his livelihood, he has moved several places and



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strolled his life. So, he has not come for any adverse notice of police in the period between years 2016 to 2019 itself would show that he was constrained to move various place, which cannot be disputed that though the case has transformed as Sessions Case in 2015 itself, for about 1 ½ years, the prosecution has not shown any interest to commence and progress the trial and trial was not commenced for substantial period and so far there is no progress in the trial. he He would submit that he is in jail from 29.11.2019 and this is the sixth petition seeking for bail before this court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that totally, there are 4 accused involved in this case and the petitioner is arrayed as A3. He is having six previous cases including one murder case pending against him. He would submit that in the present case, A1 was murdered by some other person on 22.07.2022 and if the petitioner come out on bail, he would take revenge to murder the said accused and he is a notorious person. He would submit that once he come out on bail, he would commit the murder. He would submit that now



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P.W.1 to 3 were examined and the trial is in progress and they would complete the trial within three months and this is the sixth 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 4 years, he was secured and considering the fact that now P.W.1 to 3 were examined and the trial is in progress and now, if he is released on bail, there is 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 four months from the date of receipt of copy of this order.

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