



Crl.O.P.No. 2511 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 08.12.2022 for the alleged offence under Sections 147, 148, 294(b), 341, 323, 324, 307, 302, 506(ii), 120(B) of I.P.C. r/w 4, 5 of Explosive Substances Act in Crime No.478 of 2023 on the file of the respondent police, pending trial in P.R.C.No. 27 of 2017 on the file of learned Judicial Magistrate No.1, Villupuram, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 08.12.2022 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. However, due to his non-appearance before the Court, subsequently, the learned Magistrate issued non bailable warrant against the petitioner following which, the petitioner was arrested and remanded to judicial custody on 08.12.2022. He would submit that the



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petitioner has been suffering incarceration from 08.12.2022. 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 there are 8 previous cases including 2 cases under Sec.302 of I.P.C. and 2 cases under Sec.307 of I.P.C. pending against him. He would submit that when he did not appear before the trial Court, non bailable warrant was issued against him and he was arrested on 08.12.2022. He would also submit that in one case, trial is commenced and one case is at committal stage. He would also submit that he has not challenged the non-bailable warrant issued by the trial court and earlier he was arrested in the year of 2020 and he absconded for more than 2 years from the year of 2020, he is not cooperating for trial and after securing him only, the trial is in progress. 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 having 8 previous cases including 2 cases under Sec.302 and Sec.307 of I.P.C. is pending against him and he absconded for more than 2 years from the year of 2020 and he is not cooperating for trial and after securing him only, there is a progress in trial 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.

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