



Crl.O.P.No. 2225 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 17.11.2022 for the alleged offence under Sections 120 B, 364, 147, 148, 302 and 149 of I.P.C. in Crime No.138 of 2015 on the file of the respondent police, pending trial in S.C.No. 140 of 2021 on the file of learned Bomb Blast Court, Coimbatore cum I Addl. District and Sessions Judge, Coimbatore seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 17.11.2022 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. On 12.04.2022, he was not able to appear before the Court and subsequently, the learned Magistrate issued non



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bailable warrant against the petitioner following which, the petitioner was arrested and remanded to judicial custody on 17.11.2022. He would submit that the petitioner has been suffering incarceration from 17.11.2022. 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 no previous case pending against him. He would submit that when he did not appear before the trial Court on 12.04.2022, non bailable warrant was issued against him and he was arrested on 17.11.2022. He would also submit that he absconded for more than 7 months and after securing him only, the trial is in progress and the trial would be completed as early as possible. Hence, if he is released on bail, he may abscond and the trial would be stalled.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence



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committed by the petitioner and he absconded for more than 7 months and after securing him only, there is a progress in trial and now, if he is released on bail, the trial would be stalled and 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 two months from the date of receipt of copy of this order.

02.02.2023

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