



Crl.O.P.No. 4480 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 04.08.2022 for the alleged offence under Sections 147, 148, 302 r/w 149, 341, 201 r/w 302 r/w 201 of I.P.C. in Crime No.966 of 2009 on the file of the respondent police pending trial in S.C. No.49 of 2012 on the file of learned Addl. District and Sessions Judge, Chengalpattu, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 04.08.2022 pursuant to the non-bailable warrant issued against him.

3. The learned counsel appearing for petitioner would submit that the petitioner was earlier granted bail and thereafter, he was regularly appearing before the trial Court. However, he was remanded to judicial custody in another case in Crime No.1345 of 2020 on the file of Ambattur Police Station and he was charge sheeted in C.C.No.27 of 2021 on the file



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of learned Judicial Magistrate, Ambattur, in which he was convicted by an order dated 23.10.2021. He would submit that since he was remanded and subsequently convicted in the above mentioned case, he was unable to appear before the Court and subsequently, the learned Magistrate issued non bailable warrant against the petitioner, thereby he was detained under PT warrant on 04.08.2022 on execution of non-bailable warrant. He would submit that he is an innocent person and he has been falsely implicated in this case and this is the second petition seeking for bail. He would submit that he has not at all committed any offence and he is ready to abide any condition that may be imposed by this court. He would submit that he 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) appearing for respondent would submit that as he was not appeared before the trial court in the year of 2018, the learned Magistrate issued PT warrant and subsequently, the petitioner was arrested only on 04.08.2022 on execution of PT warrant. He would submit that he is a notorious person and he is



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having 32 previous cases including two murder cases and 5 cases under Sec.307 of I.P.C. pending against him and he was also detained under Goondas Act for four times, but again and again, he is committing the offence of murder. He would further submit that after securing him only, there is a progress in the trial. Hence, if he is released on bail, he may abscond and there is possibility of hampering the investigation. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances and on considering submissions of both sides and also the fact that for the past five years, he absconded and after securing him only, there is a progress in the trial and also on seeing bad antecedents of the petitioner having 32 previous cases including 2 murder cases and 5 cases under Sec.307 of I.P.C. pending against him and four times, he was detained under Goondas Act and also there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

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