



Crl.O.P.No.7233 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 21.02.2023 for the offences punishable under Sections 147, 148, 341, 324, 326, 336, 307, 506(ii) of IPC and Section 3(1) of TNPPDL Act, in Crime No.413 of 2016 on the file of the respondent police in S.C.No.191 of 2017 on the file of the XVI Additional Judge, City Civil Court, Chennai seeks bail.

2. It is a case of jumped bail. The petitioner was arrested on 21.02.2023 through P.T. Warrant on execution of Non Bailable Warrant issued against the petitioner on 09.11.2021.

3. Learned counsel appearing for the petitioner submitted that the petitioner/A6 is facing trial in SC.No.191 of 2017 on the file of XVI Additional Judge, City Civil Court, Chennai and he was regularly appearing before the Court. Thereafter, since the petitioner had gone out of State for his employment, he could not appear before the Court on 09.11.2021. Hence, the trial Court issued Non Bailable Warrant against



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the petitioner. Subsequently, the petitioner was arrested in another case in Crime No.208 of 2022 on the file of the Orleanpet Police Station, Puducherry, on 29.05.2022 and thereafter, the petitioner was arrested in the present case on 21.02.2023 through P.T. Warrant on execution of Non Bailable Warrant. He would submit that the petitioner undertakes to appear before the Court regularly in future and to co-operate for the trial. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police submitted that this is the 2nd Non Bailable Warrant issued against the petitioner. Earlier, the petitioner got absconded and hence, Non Bailable Warrant of arrest was issued against him based on which, the petitioner was arrested and subsequently, he was released on bail. Again on 09.11.2021, the petitioner, did not appear before the Court and thereby, Non Bailable Warrant of arrest was issued against the petitioner for the 2nd time. He would submit that during the period of abscondance, the petitioner had also involved in another case in Crime No.208 of 2022 on the file of the Orleanpet Police Station, Puducherry,



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for the offence under Section 392 IPC and he was arrested in that case on 29.05.2022 and subsequently, he was arrested in the present case on 21.02.2023 through P.T.Warrant on execution of Non Bailable Warrant issued against him for the 2nd time. Further, in this case, the co-accused are also absconding and due to their abscondance, there is no progress in the trial and that the case is pending from the year 2017. If bail is granted to the petitioner, there is every possibility of the petitioner absconding again and hence, he would seek for dismissal of the petition till such time the other accused are arrested.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration of the fact that the Non Bailable Warrant was issued against the petitioner for the 2nd time on 09.11.2021 and he was arrested only recently on 21.02.2023 and further, during the period of abscondance, the petitioner has also involved in another case in Crime No.208 of 2022 on the file of the Orleanpet Police Station Puducherry for the offence under Section 392 IPC and that the co-



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accused are also still absconding, this Court is not inclined to grant bail to the petitioner for the present.

7. Accordingly, this Criminal Original Petition stands dismissed.

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