



CrI.O.P.No.8163 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 31.01.2023 for the alleged offence under Sections 302, 120(B) , 342 of I.P.C. in Crime No.1273 of 2020 on the file of the respondent police pending trial in S.C. No.28 of 2021 on the file of District and Sessions Court-II, Kanchipuram, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 31.01.2023 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. Due to ill-health and after Covid-19 lock down, there is no information about the case details, he was unable to appear before the Court and subsequently, the learned Magistrate issued



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non bailable warrant against the petitioner on 14.09.2021, thereby he was detained under PT warrant on 31.01.2023 on execution of non-bailable warrant. He would submit that he has cooperated for committal proceedings, however, after that, there is no intimation about further hearings of the case, so, he was not aware of the proceedings. He would submit that he is an innocent person and he has been falsely implicated in this case. 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 on 14.09.2021, the learned Magistrate issued PT warrant and subsequently, the petitioner was arrested on 31.01.2023 on execution of PT warrant. He would submit that for the past two years, he absconded and he was secured only on 31.01.2023. He would submit that he is having 10 previous cases and also not cooperating for trial. He would further submit that after



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securing him only, there is a progress in the trial. He would submit that totally, there are 5 accused involved in this case and the petitioner is arrayed as A5. Hence, if he is released on bail, 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 also the fact that for the past two years, he absconded and after securing him only on 31.01.2023, there is a progress in the trial and considering the bad antecedents of the petitioner having 10 previous and now the trial court commenced the proceedings, and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

19.04.2023

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