



Crl.O.P.No.7919 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 05.03.2023, pursuant to the non-bailable warrant of arrest issued against him in P.R.C.No.2 of 2016, in connection with Crime No.89 of 2014, pending on the file of the Judicial Magistrate No.II, Thirupattur, seeks bail.

2. Learned counsel for the petitioner submitted that the petitioner is an accused (A3) in Crime No.89 of 2014, for the alleged offence under Sections 120B, 302, 213, 205 of IPC r/w 114 & 109 of IPC, pending committal on the file of the Judicial Magistrate No.II, Thirupattur in P.R.C.No.2 of 2016. He further submitted that during the covid situation, he was unable to appear before the committal Court on 06.01.2021, since there was no transportation due to lock down and he was unable to travel from Madurai to Thirupattur, thereby, the learned Judicial Magistrate has issued a Non Bailable Warrant of arrest against him and pursuant to which, he was arrested on 05.03.2023. He further



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submitted that the petitioner is prepared to furnish sufficient sureties and ready to abide by any stringent conditions that may be imposed by this Court and he is also ready to file an Affidavit of Undertaking stating that he will co-operate for speedy disposal of the trial and also submitted that the petitioner would ensure that he will appear before the trial Court on all hearing dates without fail. Therefore, he prays for grant of bail to the petitioner.

3. Learned learned Government Advocate (Crl.Side) appearing for the respondent submitted that since the petitioner, who is an accused (A3) in Crime No.89 of 2014, pending committal on the file of the learned Judicial Magistrate No.II, Thirupattur in P.R.C.No.2 of 2016, has failed to appear before the trial Court on 06.01.2021, a Non-Bailable Warrant was issued against him and pursuant to the same, he was arrested on 05.03.2023. He further submitted that this is the case of the year 2014 and if bail is granted to the petitioner, there is every possibility of him, to abscond again and would further derail the progress of trial. Therefore, he opposed for grant of bail to the petitioner.



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4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case and taking note of the fact that this case is of the year 2014 and the case is still pending committal on the file of the learned Judicial Magistrate No.II, Thirupattur in P.R.C.No.2 of 2016, this Court is not inclined to grant bail to the petitioner for the present.

6. Accordingly, this Criminal Original Petition stands dismissed.

13.04.2023

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