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CrI.O.P.No.8067 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was surrendered and remanded to judicial custody on 17.10.2022, pursuant to the non-bailable warrant of arrest issued against him in P.R.C.No.27 of 2016, in connection with Crime No.375 of 2016, pending on the file of the Chief Judicial Magistrate Villupuram, seeks bail.

2. Learned counsel for the petitioner submitted that the petitioner is an accused (A1) in Crime No.375 of 2016, for the alleged offence under Sections 147, 148, 294(b), 341, 323, 324, 307, 302, 506(ii), 120B of IPC r/w Sections 4 & 5 of Explosive Substances Act, pending committal on the file of the Chief Judicial Magistrate, Villupuram in P.R.C.No.27 of 2016. He further submitted that the petitioner, due to his illness, was unable to appear before the committal Court on 01.07.2022, thereby, the learned Magistrate has issued a Non



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Bailable Warrant of arrest against him and thereafter, after recovery, the petitioner himself voluntarily surrendered on 17.10.2022 and he was remanded to judicial custody. He further 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 (A1) in Crime No.375 of 2016, pending committal on the file of the learned Chief Judicial Magistrate, Villupuram in P.R.C.No.27 of 2016, has failed to appear before the trial Court on 01.07.2022, a Non-Bailable Warrant was issued against him and he had surrendered on 17.10.2022 and thereafter, remanded to judicial custody. He further submitted that this is the case of the year 2016 and there are 18 accused in this case and



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he also submitted that due to the absence of the accused one after another, the learned Judicial Magistrate is unable to commit the case to the Court of Sessions, therefore, if bail is granted to the petitioner, there is every possibility of him to abscond once again and would derail the progress of trial. He also submitted as far as this petitioner is concerned 8 previous cases are pending against him. Therefore, he opposed for grant of bail to the petitioner.

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 2016 and the case is still pending committal on the file of the learned Chief Judicial Magistrate, Villupuram in P.R.C.No.27 of 2016, this Court is not inclined to grant bail to the petitioner for the present.



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6. Accordingly, this Criminal Original Petition stands dismissed for the present.

13.04.2023

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