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Crl.O.P.No.8069 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested under PT warrant and remanded to judicial custody on 17.10.2022, pursuant to the non-bailable warrant of arrest issued against him in S.C.No.88 of 2023, in connection with Crime No.94 of 2020, pending on the file of the Principal Sessions Judge, Villupuram, seeks bail.

2. Learned counsel for the petitioner submitted that the petitioner is an accused (A2) in Crime No.94 of 2020, for the alleged offence under Sections 147, 148, 449, 506(ii), 302, 109, 149, 120B, 436 of IPC r/w Sections 3, 4(A), 4(B) & 6 of Explosive Substances Act r/w Section 4 of P.P.D.L Act, pending trial on the file of the Principal Sessions Judge, Villupuram in S.C.No.88 of 2023. He further submitted that since the petitioner surrendered before the learned Chief Judicial Magistrate Villupuram, pursuant to the non-bailable warrant issued



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against him in P.R.C.No.27 of 2016, he was unable to appear before the trial Court, thereby, the learned Magistrate has issued a Non Bailable Warrant of arrest against him in this case and thereafter, the petitioner was produced under PT warrant on 17.10.2022. 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 (A2) facing trial in S.C.No.88 of 2023, pending on the file of the learned Principal Sessions Judge, Villupuram in connection with Crime No.94 of 2020, has failed to appear before the trial Court, a Non-Bailable Warrant was issued against him and he was arrested under PT warrant on



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17.10.2022. He further submitted that as far as this case is concerned, there are 11 accused in this case and now, the case stands posted on 05.06.2023. He further submitted that non-bailable warrants in respect of A8 & A9 are still pending and therefore, if bail is granted to the petitioner at this stage, 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, he is a history sheeted rowdy against whom, 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 (CrI.Side) for the respondent and perused the materials available on record.

5. Taking into consideration the facts and circumstances of the case, submissions made by the learned counsel on both sides and taking note of the previous antecedents of the petitioner, 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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