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Crl.O.P.No. 8660 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 24.03.2022 for the alleged offence under Sections 147, 148, 341, 322, 324, 326 and 307 I.P.C. r/w 149 of I.P.C. in Crime No.518 of 2008 on the file of the respondent police, pending trial in S.C.No.340 of 2018 on the file of learned Principal Assistant Sessions Judge at Cuddalore, seeks bail.

2. It is a case of jumped bail. The petitioner was originally arrested on 14.03.2022 in Crime No.101 of 2022 on the file of Kandamangalam Police Station for an offence under Sec.341, 352, 506(ii) and 392 of I.P.C. and now he was arrested on 24.03.2022 in pursuant to the non-bailable warrant issued against him.



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3. The learned counsel appearing for petitioner would submit that when the case is posted for hearing on 12.07.2019, he unable to attend the court on the date of hearing, the learned Judge ordered non-bailable warrant against the petitioner, thereby he was detained under PT warrant on 24.03.2022 on execution of non-bailable warrant. He would submit that the petitioner was detained under Goondas Act and subsequently the Government revoked the detention order in G.O. No. (Rt) No.2870, dated 18.05.2022. He would submit that already two previous cases are ended in acquittal and except this petitioner, the other co-accused were granted bail and he is still appearing before the trial court. He would submit that he is in jail from 24.03.2022 and this is fourth petition seeking for bail. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that from 2019 onwards, he is absconding and he is having 35 previous cases including three murder cases and 7 cases under Sec.307 I.P.C. pending against the petitioner and the petitioner is arrayed as A4. He would submit that the petitioner is absconding for more



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than one year and thereafter, after hectic efforts, he was secured only on 24.03.2022. He would submit that only after securing him, there was a progress in the trial. Now, seven witnesses were examined and the trial would be completed within a month. 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 facts and circumstances of the case and considering submissions of both sides and the fact that after one year, he was secured and there are 35 cases including 3 cases under Sec.302 I.P.C. and 7 cases under Sec.307 I.P.C. pending against him, in which, 8 cases ended in conviction and 4 cases ended in acquittal and some of the case are ripe for trial and after securing him only, there is a progress in the trial and now 7 witnesses were examined and the trial is yet to be completed and also considering the fact that now there are 22 cases pending against him and the cases are in the stage of examination of witnesses and if he is released on bail, he may abscond and he would hamper the investigation and tamper the witnesses and also there is no change of circumstances, this



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Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, since the petitioner is in custody from 24.03.2022, the trial court is directed to complete the trial and dispose the case within a period of two months from the date of receipt of copy of this order.

24.04.2023

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