



Crl.O.P.No.9108 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was remanded to judicial custody on 23.08.2022, pursuant to the non-bailable warrant issued against him on 29.04.2019, in S.C.No.114 of 2014, pending on the file of the Additional District & Sessions Judge, Chengalpattu, in connection with Crime No.280 of 2013 registered for the alleged offence punishable under Sections 294(b), 341, 342, 302 of IPC r/w Section 34 of IPC, seeks bail.

2. Learned counsel for the petitioner submitted that the petitioner is an accused (A2) facing trial in S.C.No.114 of 2014, pending on the file of the Additional District & Sessions Judge, Chengalpattu. He further submitted that the petitioner has all along been regularly appearing before the trial Court on all hearing dates, while so, due to his illness, he was unable to appear before the trial Court on 29.04.2019, thereby, the trial Court has issued a Non Bailable Warrant of arrest against him and pursuant to which, the petitioner has voluntarily



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surrendered on 23.08.2022 and he is in custody for more than 8 months.

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He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He also submitted that the petitioner is also ready to file an Affidavit of Undertaking stating that he will co-operate for speedy disposal of the trial. Therefore, he prayed for grant of bail to the petitioner.

3. 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.114 of 2014, pending on the file of the Additional District & Sessions Judge, Chengalpattu, has failed to appear before the trial Court on 29.4.2019, a Non-Bailable Warrant of arrest was issued against him and pursuant to which, he had surrendered and was remanded to judicial custody on 23.08.2022. He also submitted that there are four accused in this case and the case now stands posted for framing for charges on 26.04.2023. He further submitted that as far as this petitioner is concerned, he is a history sheeted rowdy in H.S.No.35 of 2014, against whom 17 previous cases including three cases registered



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for the offence under Section 302 of IPC are pending. Hence, 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, the submissions made by the learned counsel on either side and taking note of the previous antecedents of the petitioner and that he had been absconding for more than 3 years, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

26.04.2023

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