



Crl.O.P.No.9198 of 2023

Crl.O.P.No.9198 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner who was arrested and remanded to judicial custody on 02.03.2023 for the offences under Sections 147, 148, 364(A), 392 and 324 of IPC @ 147, 120(B), 364-A, 342, 392 and 395 of IPC, in Crime No.32 of 2013, on the file of the respondent police, in S.C. No.200 of 2018 on the file of the II Additional District and Sessions Judge, Tiruchengode, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 02.03.2023 on execution of Non Bailable Warrant issued against him on 31.07.2019.

3. The learned counsel for the petitioner would submit that the petitioner is an accused and facing trial in S.C. No.200 of 2018 on the file of the II Additional District and Sessions Judge, Tiruchengode, and he was regularly appearing before the trial Court. However, on 31.07.2019, due to illness, the petitioner was unable to appear before the



Crl.O.P.No.9198 of 2023

Court pursuant to which, Non Bailable Warrant was issued against the petitioner and subsequently, the petitioner was arrested and remanded to judicial custody on 02.03.2023. He would submit that only on account of Covid pandemic, the petitioner was not able to appear before the Court to recall the warrant and he undertakes that the petitioner is ready to appear before the trial Court on all future hearing dates and to co-operate for the speedy disposal of trial. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed for grant of anticipatory bail to the petitioner stating that the petitioner is arrayed as A1 in this case and he was absconding from the year 2019 and after much difficulties, the respondent police secured the petitioner after 3 years i.e., on 02.03.2023. Further, the other accused are also absconding due to which, the trial Court is unable to frame charges and now the case is posted for framing of charges on 19.06.2023. Therefore, if the petitioner is released on bail at this state, there is every possibility of the petitioner absconding once



Crl.O.P.No.9198 of 2023

again and he may not be available for trial. Further, the petitioner has got one previous case of similar nature.

5. In view of the fact that it is the case of the year 2018 and the petitioner had been absconding for more than 3 years and now the case is posted for framing of charges on 19.06.2023 and also of the fact that the other accused are also still absconding, this Court is not inclined to grant bail to the petitioner for the present.

6. Accordingly, this Criminal Original Petition is dismissed.

26.04.2023

ksa-2



WEB COPY



Crl.O.P.No.9198 of 2023

A.D.JAGADISH CHANDIRA, J.

ksa-2

Crl.O.P.No.9198 of 2023

26.04.2023