



Crl.OP.No.10145 of 2023

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 13.04.2023 on execution of NBW for the alleged offences under Sections 147, 148, 341, 294(b), 324, 323, 506(ii) and 307 of IPC in PRC.No.2 of 2006 on the file of the Judicial Magistrate No.III, Cuddalore in crime No.53 of 2000 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that pending committal in PRC.No.2 of 2006 on the file of the Judicial Magistrate No.III, Cuddalore, the petitioner absconded. As such, NBW was issued, pursuant to which he was arrested on 13.04.2023.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit due to non-appearance of the petitioner before the lower Court, Non-Bailable Warrant was issued on 02.03.2006 against the petitioner and the petitioner was



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arrested and remanded to judicial custody on 13.04.2023, and if the bail is granted to the petitioner, it is very difficult to secure him. Hence, he vehemently objected for grant of bail to the petitioner.

5. It is seen that there are totally eight accused, in which the petitioner is arrayed as A4. After completion of investigation, final report was filed and the same was pending for committal in PRC.No.2 of 2006 on the file of the Judicial Magistrate No.III, Cuddalore. While so, the petitioner was absent before the court below on 02.03.2006. Therefore, the court below issued NBW. He was absconded for several years. The petitioner was arrested and remanded to judicial custody on 13.04.2023 on execution of NBW. Only because of his absence, the petitioner's case was split up and separate trial was proceeded against other accused persons. Therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

05.05.2023

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