



Crl.OP.No.10445 of 2023

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 13.02.2023 on execution of NBW for the alleged offences under Sections 147, 148, 302 r/w 120(b), 149 of IPC in SC.No.189 of 2019 on the file of the XXIII Additional Sessions Court at Chennai in respect of crime No.925 of 2017 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on the occurrence day, unknowns persons came to the house of the defacto complainant and asked about the deceased one, Parthiban and threatened their consequence. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitiner 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, the trial judge has issued Non-Bailable Warrant on 18.06.2019 against the petitioner and the petitioner was arrested and remanded to judicial custody on 13.02.2023, and if the bail is granted to the petitioner, it is very difficult to secure him. Hence, he



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vehemently objected for grant of bail to the petitioner.

5. It is seen that though the petitioner was granted bail initially, after completion of investigation, final report was filed and the same was taken cognizance by the trial court in in SC.No.189 of 2019 on the file of the XXIII Additional Sessions Court at Chennai. The petitioner was absent before the trial court on 18.06.2019. Therefore, the trial court issued NBW on the same day. Thereafter, the petitioner involved in two other cases. The petitioner was arrested and remanded to judicial custody on 13.02.2023 on execution of NBW. Therefore, while pending NBW, the petitioner committed offences. That apart, because of his absence, the entire trial is stalled. Therefore, if the petitioner is let out on bail, again the petitioner would abscond and entire proceedings will be stalled. As such, 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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