



Crl.O.P.No.12556 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was remanded to judicial custody on 17.04.2023, pursuant to the non-bailable warrant issued against him on 19.07.2022, in C.C.No.233 of 2020, pending on the file of the Judicial Magistrate-VI, Coimbatore, in connection with Crime No.832 of 2019 registered for the alleged offence punishable under Section 392 of IPC, seeks bail.

2. Learned counsel for the petitioner submitted that the petitioner is an accused (A2) facing trial in C.C.No.233 of 2020, pending on the file of the Judicial Magistrate-VI, Coimbatore. He further submitted that the petitioner has been regularly appearing before the trial Court, on all hearing dates, while so, since, he was arrested in connection with another case pending against him, he was unable to appear before the trial Court, thereby, the trial Court has issued a Non Bailable Warrant of arrest against him and pursuant to which, he was formally arrested and remanded to judicial custody on 17.04.2023. He further submitted that the petitioner undertakes that he will appear before the trial Court on all



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hearing dates without fail. He also submitted that the petitioner is prepared to furnish sufficient sureties and also ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prayed for grant of bail to the petitioner.

3. The respondent Police has filed a detailed counter.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner, who is an accused (A2) facing trial C.C.No.233 of 2020, pending on the file of the Judicial Magistrate-VI, Coimbatore, has failed to appear before the trial Court, thereby, the trial Court has issued a Non-Bailable Warrant of arrest against him and pursuant to which, he was formally arrested on 17.04.2023. He also submitted that it is the case of the year 2019, in which, there are two accused and there are 11 witnesses and the case now stands posted on 15.06.2023 for framing of charges and questioning. He further submitted that as far as this petitioner is concerned, 8 previous cases are pending against him, therefore, if bail is granted to the petitioner, there is every possibility of him absconding once again and would derail the progress of the trial. Therefore, he opposed for grant of bail to the petitioner.



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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. 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 cases pending against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. However, the learned trial Magistrate is directed complete the trial in C.C.No.233 of 2020, as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of copy of this order.

15.06.2023

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