



Crl.OP.No.13873 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who were arrested and remanded to judicial custody on 12.02.2023 for the offence punishable under Section 392 of IPC, in Crime No.67 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners have snatched 2¼ sovereign of gold chain from the defact complainant. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case, since they have got some previous cases. He would further submit that the petitioners are in custody from 12.02.2023 and they are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners are habitual offenders and that 10 previous cases are pending against the first petitioner and 8 previous cases are pending against the second petitioner. He would further submit that as far as this case is concerned, the investigation has been completed and the final report has been filed and the case has been taken up for trial in C.C.No.29 of 2023 on the file of the



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learned Judicial Magistrate No.I, Ulumalpet. He would further submit that there are totally 11 witnesses in this case and the case now stands posted for examination of L.W.2 to L.W.4 on 22.06.2023 and if the petitioner is granted bail at this stage, there is every possibility of him absconding and derailing the progress of trial. He would also submit that the respondent will be able to complete the trial within the specified time as directed by this Court. Hence, he vehemently opposed to grant bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate that there are totally 11 witnesses in this case and the case now stands posted for examination of L.W.2 to L.W.4 on 22.06.2023, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed. However, the learned Magistrate concerned is directed to complete the trial and deliver the judgment, within a period of two months from the date of receipt of a copy of this order.

21.06.2023

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