



Cr.O.P.No.14102 of 2023

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A.D.JAGADISH CHANDIRA,J.,

The petitioner, who was arrested and remanded to judicial custody on 22.05.2023 for the offence punishable under **Section 392 IPC, in Crime No.4 of 2014** on the file of the respondent police, in C.C.No.473 of 2019 on the file of the Judicial Magistrate, Avinashi, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody pursuant to the nonailable warrant issued against the petitioner on 23.03.2023.

3. The learned counsel for the petitioner would submit that the petitioner is an accused and facing trial in C.C.No.473 of 2019 on the file of the Judicial Magistrate, Avinashi and he was regularly appearing before the trial Court. However, on 23.03.2023, the petitioner was unable to appear before the Court and thereby, nonailable warrant of arrest came to be issued against the petitioner and subsequently, the petitioner was arrested and remanded to judicial custody on 22.05.2023. He would submit that the petitioner undertakes to appear before the trial Court on all hearing dates without fail. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose for grant of bail to the petitioners stating that the petitioner is a habitual absconder. The case is of the year 2014 and the petitioner had been constantly absconding and thereby, the Court had issued non bailable warrant of arrest against the petitioner on 23.03.2023 and the petitioner was arrested on 22.05.2023 pursuant to the issuance of non bailable warrant. He would further submit that the major part of trial is completed and now the case is posted for examination of the Investigating Officer on 05.07.2023 and that the respondent would be able to complete the trial within a specified time.

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 of the fact that the case is at the fag end of trial and it is posted for examination of Investigating Officer on 05.07.2023, this Court is not inclined to grant bail to the petitioner.



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7. However, a direction is issued to the learned Judicial Magistrate, Avinashi, to complete the trial in C.C.No.473 of 2019 and deliver the judgment within a period of one month from the date of receipt of a copy of this order.

8. With the above directions, this Criminal Original Petition is dismissed.

23.06.2023

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Note: Issue order copy on 04.07.2023

**Copy to :
The Judicial Magistrate,
Avinashi**



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