



Crl.O.P.No.18852 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 26.05.2022 for the alleged offence under Sections 294(b), 392 r/w 397, 394 and 506(ii) of I.P.C. in Crime No.135 of 2018 on the file of the respondent police, pending trial in S.C.No. 61 of 2021 on the file of II Addl. Sessions Court, Chennai seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 26.05.2022 on execution of non bailable warrant issued against him.

3. The learned counsel for the petitioner would submit that the petitioner was earlier granted bail and thereafter, he was regularly appearing before the trial Court. As he was arrested on 26.05.2022 in another case in Crime No.140 of 2022, on 01.06.2022 he was unable to appear before the Court and subsequently, the learned Magistrate issued non bailable warrant against the petitioner following which, the petitioner was arrested and remanded to judicial custody on 09.01.2023. He would submit that the petitioner has been suffering incarceration from 09.01.2023.



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He would further submit that the petitioner is ready to appear before the Court regularly and to co-operate for the trial. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that totally, there are 26 previous cases including 11 cases under Sec.307 of I.P.C. and one murder case under Sec.302 of I.P.C. are pending against him and he is a notorious person. He would submit that when he did not appear before the trial Court on 01.06.2022, non bailable warrant was issued against him and he was arrested on 09.01.2023. He would also submit that he absconded for more than 6 months and after securing him only, the trial is in progress. He would submit that all the witnesses were examined and now the case is posted for framing of charges before the trial Court. He would further submit that the petitioner has not engage the counsel and not co-operate for enquiry. Hence, he would vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering gravity of offence committed by the petitioner and he absconded for more than 6 months and



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he is involved in 26 previous cases including one murder case under Sec.302 I.P.C. and 11 cases under Sec.307 of I.P.C. and after securing him only, there is a progress in trial and all the witnesses are examined and the case is posted for framing of charges and now, if he is released on bail, there is possibility of tampering the witnesses and hampering the investigation and also there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed. The petitioner is directed to engage the counsel and co-operate for enquiry. However, the trial court is directed to complete the trial and dispose the case as early as possible.

17.08.2023

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