



CrL.OP.No.22453 of 2023

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SATHI KUMAR SUKUMARA KURUP.J.,

The Petitioner who was arrested and remanded to judicial custody on 22.11.2022 by issuing P.T.Warrant for the offences under Sections 149, 302 of IPC r/w 149 of IPC in Crime No.1150 of 2018 on the file of the respondent police, in Spl.S.C.No.124 of 2019 on the file of the III Additional Sessions Judge, City Civil Court, Chennai seeks bail.

2. It is a case of jumped bail. The Petitioner was arrested on 22.11.2022 pursuant to the Non Bailable Warrant issued against him.

3. The learned Counsel for the Petitioner submitted that the Petitioner was regularly appearing before the trial Court in S.C.No.124 of 2019 on the file of the III Additional Sessions Judge, Chennai. Due to incarceration of the Petitioner in some other case, he was unable to appear before the Court. Therefore, the learned Judge ordered Non Bailable Warrant against the Petitioner on 17.10.2022 following which, the Petitioner was arrested on 22.11.2022 through P.T.Warrant. The Petitioner has been suffering incarceration from 22.11.2022. Hence, he



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seeks for grant of bail to the Petitioner.

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4. The learned Government Advocate (Crl. Side) raised objection stating that the Petitioner/accused did not appear before the trial Court on 17.10.2022. Therefore, nonailable warrant was issued on the same day. Subsequently, the Petitioner was arrested on 22.11.2022 through P.T. Warrant. If the Petitioner is released on bail, there is every possibility of the Petitioner absconding and the trial would be stalled. Hence, he vehemently opposed to grant bail to the Petitioner.

5. Heard the learned Counsel for the Petitioner, the learned Additional Public Prosecutor and perused the materials available on record including the First Information Report.

6. Taking into consideration the facts and the submissions made by both counsel, this Court is not inclined to grant bail to the Petitioner.



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7. However, the III Additional Sessions Judge, Chennai, is directed
to proceed with the trial if all the accused are before Court.

8. Accordingly, this Criminal Original Petition is dismissed.

29.09.2023

Vv



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