



Crl.O.P.No.1158 of 2024

WEB C C.V.KARTHIKEYAN,J.

The petitioner/A4 in S.C.No.276 of 2009, now pending trial before the Additional District and Sessions Judge, Chengalpattu, seeks bail. Originally, Crime No.171 of 2009 had been registered for the offences under Sections 341, 323, 302 of IPC r/w 34 of IPC.

2.It is stated that a Non-bailable warrant had been issued against the petitioner on 29.07.2016 and it had been executed only on 20.07.2023. Originally, Crime No.171 of 2009 had been registered under Sections 341, 323, 302 of IPC r/w 34 of IPC. Even though the incident had happened nearly about 14 years back, the trial has not yet commenced because one of the prime reason is that this petitioner had absconded from the year 2016 onwards.

3.It is now stated by the learned counsel for the petitioner that A7, against whom NBW is pending is also suspected to be dead. Necessarily enquiries will have to be conducted since the accused again proceed, unless a definite report is obtained about whether he is alive or dead, the case against him could be split



up but if he is dead then the evidence will have to be proceeded with S.C.No.276 of 2009 and if he is still alive then simultaneous trial can also be directed in both S.C.No.276 of 2009 and in the case against A7 which had been split up.

4.Taking all the factors into consideration till that information is received and once a definite information is received, then, the application seeking bail can be filed, at this stage, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

30.01.2024

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