



WEB COPY



Crl.O.P.No. 10220 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 16.08.2023 for the alleged offence under Section 302 I.P.C., which was altered to Sec.201, r/w Sec.302 of I.P.C. in Crime No.12 of 2020 on the file of the respondent police, pending trial in S.C.No.116 of 2021 on the file of Principal Sessions Court, Salem, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested on 16.08.2023 pursuant to the non-bailable warrant issued against him.

3. The learned counsel appearing for petitioner would submit that due to absence of petitioner on the date of hearing i.e. on 23.02.2023, the learned Judge ordered non-bailable warrant against the petitioner, thereby he was detained under PT warrant on 16.08.2023 on execution of non-bailable warrant. He would submit that he is in incarceration from



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16.08.2022 for more than 250 days. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is absconding for more than 8 months and thereafter, after hectic efforts, he was secured only on 16.08.2023. He would submit that 25 previous cases pending against him and totally, 27 witnesses, out of which 22 witnesses were examined and now the case is posted for I.O. He would also submit that the petitioner has not cross-examined the witness. He would further submit that if he is released on bail, there is possibility of hampering the investigation and tampering the witnesses. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that after 8 months, he was secured and the fact that out of 27 witnesses, 22 witnesses were examined, but so far this petitioner has not cross-examined witnesses and the case is at the stage of I.O. and so, on seeing conduct of



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petitioner, at this stage, if he is released on bail, there is possibility of hampering the investigation and tampering the witnesses, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

25.04.2024

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