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CrI.O.P.No. 15737 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 13.02.2024 for the alleged offence under Sections 147, 148, 294(b), 323, 324, 307, 302 and 506(ii) of I.P.C. in Crime No. 129 of 2019 on the file of the respondent police and pending trial in S.C.No.90 of 2019, on the file of Principal Sessions Judge, Tiruppur, seeks bail.

2. It is a case of jumped bail. The petitioner was arrested and remanded to judicial custody on 13.02.2024 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 29.09.2023, the learned Judge ordered non-bailable warrant against the petitioner, thereby he was detained under PT warrant on 13.02.2024 on execution of non-bailable warrant. He would submit that he is in jail from 13.02.2024. Hence, he prayed to grant bail to the petitioner.

Page 1 of 4



Crl.O.P.No. 15737 of 2024

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that when the defacto complainant with other persons stayed at Sarif colony, at about 11.45 hrs. the petitioner along with other accused tried to take money from the pocket near to defacto complainant, who did not sleep and when he questioned the same, they attacked him with knife, thereby he sustained serious injury and died. However, the defacto complainant admitted in hospital. He would submit that the petitioner is absconding for more than 5 months and thereafter, after hectic efforts, he was secured only on 13.02.2024. He would submit that totally 11 witnesses and the case is posted for examination of L.W.7 to 9 and four previous cases pending against the petitioner, in which one case is registered for the offence under Sec.302 I.P.C. and another case is under Sec.307 of I.P.C. 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.



CrI.O.P.No. 15737 of 2024

WEB COPY

5. Considering the facts and circumstances of the case and totally 11 witnesses and the case is posted for examination of L.W.7 to 9 and four previous cases pending against the petitioner, in which one case is registered for the offence under Sec.302 I.P.C. and another case is under Sec.307 of I.P.C. and also the fact that after 9 months, he was secured and at this stage, if he is released on bail, there is possibility of hampering the investigation and tampering the witnesses and on seeing his bad antecedents, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

04.07.2024

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rpp

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