



Crl.O.P.No. 18491 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 392 of I.P.C. r/w Sec.365 of I.P.C. @ 302, 392, 201 of I.P.C. in Crime No.63 of 2016 on the file of the respondent police, pending trial in S.C.No.57 of 2018 on the file of Addl. District Judge, Dharmapuri, 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 this is second petition seeking for bail. He would submit that as he worked as a Coolie at Bangalore, he unable to appear before the trial court and due to absence of petitioner on the date of hearing i.e. on 15.12.2023, the



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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.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, 2 accused involved in this case, in which the petitioner is arrayed as A1. He would submit that the petitioner along with other accused kidnapped son of defacto complainant in a lorry loaded with granite stones and restrained him and assaulted him with spanner and killed him, which is a murder for gain. He would submit that the petitioner absconded for more than 1 year 10 months and thereafter, after hectic efforts, he was secured only on 13.02.2024. 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 according



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to prosecution, he along with other accused kidnapped son of defacto complainant in a lorry loaded with granite stones and the fact that it is a murder for gain and also the fact that after 1 year 10 months, he was secured and the fact that totally 40 witnesses, out of which 23 witnesses were examined and at this stage, if he is released on bail, he may abscond there is possibility of hampering the investigation and tampering the witnesses and the fact that there is no change of circumstances , this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, the trial judge is directed to complete the trial and dispose the case within a period of three months from the date of receipt of copy of this order.

01.08.2024

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