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Crl.O.P.No.27967 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.27967 of 2024

Eshwaran.E

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Q Branch Police Station,
Coimbatore District.
(Crime No.1 of 2013).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with the Crime No.1 of 2013, pending investigation on the file of the respondent Police.

For Petitioner : Ms.M.Vindhiya

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

This Petition has been filed by the petitioner / Accused No.8, who was arrested and remanded to judicial custody on 11.12.2023, seeking bail in Crime No.1 of 2013 registered for the offences under Sections 120(B), 420, 465, 109 of I.P.C and Section 14(c) of Foreigners Act, 1946.

2. It is case of jumped bail. The petitioner arrested pursuant a non bailable warrant and remanded seeks bail.

3. The learned counsel for the petitioner submitted that the petitioner is in custody for the past 309 days, thereby seeks for bail.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner is a Srilankan facing trial for offences under Sections 120(B), 420, 465, 109 of I.P.C and Section 14(c) of Foreigners Act, 1946. He further submitted that the case is pending trial in C.C.No.569 of 2014 on the file of Judicial Magistrate No.2, Coimbatore from the year 2014 and since the petitioner did not appear for more than 108 hearings, the trial Court had issued Non-Bailable Warrant on 20.11.2023, pursuant to which, it was



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executed on 11.12.2023.

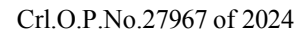
5. He further submitted that the case stood posted only for questioning under Section 313 of Cr.P.C and if the petitioner is released on bail at this stage, there is a probability of him absconding and derailing the trial and thereby he would object for grant of bail.

6. Taking into consideration the fact that the case is of the year 2014 and that the petitioner is said to have not appeared before the Court for 108 hearings and also considering the stage of the case, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed. However, a direction is issued to the learned trial Judge to complete the case and render judgment as expeditiously as possible, within a period of six weeks from the date of receipt of a copy of this order.

08.11.2024

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1. The Judicial Magistrate-II,
Coimbatore.
2. The Inspector of Police,
Q Branch Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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