



WEB COPY



CrI.O.P.No.32093 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

CrI.O.P.No.32093 of 2024

Sean Lawrence

... Petitioner

Vs.

State represented by
The Inspector of Police,
H-1 Old Washermenpet Police Station,
Chennai.
(Crime No.310 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail, in S.C.No.305 of 2022 on the file of
XVI Additional Sessions Judge, Chennai.

For Petitioner : Mr.M.Ravi

For Respondent : Mr.S.Balaji
Government Advocate (CrI.Side)

ORDER

The petitioner seeks bail in S.C.No.305 of 2022 on the file of XVI
Additional Sessions Judge, Chennai, in connection with Crime No.310 of
2022 for the offences punishable under Sections 147, 148, 342, 323, 324,



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326, 307 of IPC. The petitioner has been remanded to custody on 07.11.2024 on execution of NBW issued against him on 14.10.2024.

2.It is a case of jumped bail. The petitioner is an accused in S.C.No.305 of 2022 on the file of the XVI Additional Sessions Court, Chennai. The petitioner was already granted bail, however, due to non appearance before the Court, Non Bailable Warrant has been issued against him and the same was executed on 07.11.2024.

3.Learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner was unable to appear before the Trial Court, due to health issue, as a result of non appearance, NBW was issued against him. He further submitted that the petitioner has been in custody from 07.11.2024. Hence, he prays for grant of bail to the petitioner.

4.Learned Government Advocate (Crl. Side) for the respondent submitted that the petitioner was already granted bail and due to non appearance, NBW was issued against the petitioner and he was secured only



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on 07.11.2024. He further submitted that the petitioner has 7 previous cases, pending against him; and this is the fourth time, Non Bailable Warrant was issued against him. He further submitted that there are totally 18 witnesses, out of which 9 witnesses have been examined and the case is now posted for further examination of witnesses. However, he vehemently opposed to grant bail to the petitioner.

5. Heard both side learned counsel and perused the materials available on record.

6. Considering that the petitioner was already granted bail and thereafter, due to his non appearance before the Trial Court, NBW was issued and the same has been executed, though the petitioner has seven previous cases, all are not similar kind of offence, in all the cases, he has been released on bail, and the petitioner is in judicial custody from 07.11.2024 and now the case is posted for further examination of witnesses and also considering all other factors, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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Kerala [(2005)AIR SCW 5560]; and

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

21.12.2024

drl

To

- 1.The XVI Additional Sessions Judge,
Chennai.
- 2.The Inspector of Police,
H-1 Old Washermenpet Police Station,
Chennai.
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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