



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-02-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1919 of 2025

ESHWARAN

S/o. Erulandi Devar, K-107, Cr Camp, Bhavanisagar,
Sathyamangalam, Erode-638 451.

Petitioner(s)

Vs

State Rep By,
The Inspector Of Police
Q Branch Police Station,
Coimbatore.
Crime No.1/2013

Respondent(s)

For Petitioner(s):

M/s.M.Vindhiya

For Respondent(s):

Mr.S.Santhosh,
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.1 of 2013 registered for the offence punishable under Sections 120(b), 420, 465, 109 of IPC and Section 14(c) of the Foreigners Act, is on board for consideration.



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2. Learned counsel for the petitioner submits that the petitioner is arrayed an accused/A8 in C.C.No.569 of 2014 pending on the file of the learned Judicial Magistrate No.II, Coimbatore. He further submits that since the petitioner had gone to Kerala for his employment, he was unable to appear before the trial Court and the absence of the petitioner is neither wilful nor wanton. He also submits that this is the second application for bail filed by the petitioner before this Court and his first bail application was dismissed on 08.11.2024 and this Court, while dismissing the petition, had directed the learned trial Judge to complete the trial and render judgement, within a period of six from the date of receipt of copy of that order, however, there is no progress in the trial. He further submits that the petitioner was arrested on 11.12.2023 pursuant to the non-bailable warrant issued against him and he is still suffering incarceration. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent, while objecting for grant of bail, submits that the petitioner/A8, who is a Sri Lankan Refugee, was arrested pursuant to the non-bailable warrant issued against him in C.C.No.569 of 2014 by the learned Judicial Magistrate No.II, Coimbatore and this is his second application for bail before this Court. He further submitted that though this Court had directed the learned trial Judge to complete the trial within a period of six weeks from the date of receipt of the copy of that order dated 08.11.2024, due



to the absence of the other accused, it is difficult to complete the trial. He also submitted that the case now stands posted on 13.02.2025 for questioning under Section 313 of Cr.P.C and the respondent will be able to complete the trial at the earliest and and therefore, if the petitioner is released on bail at this stage, there is every possibility of him absconding and derailing the progress of the trial.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the stage of the case, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, the Criminal Original Petition stands dismissed.

07-02-2025

To

1. The Inspector Of Police,
Q Branch Police Station, Coimbatore.

2. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA.,J.

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