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CRL OP NO. 30875 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30875 of 2024

Bala @ Balaji
Son Of Sundaram, No.208, Gandhi Nagar 1st Street,
Tolgate, Chennai - 600 019

Petitioner(s)

Vs

The State Of Tamil Nadu
Rep. By The Inspector Of Police, H-6, R.K.Nagar
Police Station, Chennai

Respondent(s)

For Petitioner(s):

M.Iliyas
A.Venkateswara Babu
G.Sundaresan
M.Preethi

For Respondent(s):

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

ORDER

Petition seeking bail in respect of C.C.No.6033 of 2009 pending on the file of the learned XV Metropolitan Magistrate, George Town, Chennai, in connection with Crime No.584 of 2008 registered for the offences punishable



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under Sections 341, 324, 506(ii) r/w Section 34 of IPC, is on board for consideration.

2. Learned counsel for the petitioner submits that the petitioner, who is arrayed as A1, is facing trial in C.C.No.6033 of 2009 pending on the file of the learned XV Metropolitan Magistrate, George Town, Chennai. He further submits that due to the leg fracture, the petitioner was not able to appear before the trial Court, thereby, the trial Court has issued a Non Bailable Warrant of arrest against him on 05.07.2019 and subsequently, the petitioner suffered from viral fever, therefore, he was unable to cancel the warrant and he was arrested on 04.11.2024. He also submits that the petitioner, who is suffering incarceration from 04.11.2024, undertakes that he will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. 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 since the petitioner, who was arrayed as A1 in C.C.No.6033 of 2009, failed to appear before the trial Court, the non-bailable warrant was issued against him on 05.07.2019 and the



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same was executed after a period of five years i.e., on 04.11.2024. He also submits that there are eight witnesses in this case and the case now stands posted today. He further submitted that four previous cases are pending against the petitioner, therefore, if the petitioner is released on bail at this stage, there is every possibility of him absconding and derailing the progress of 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 taking note of the fact that the petitioner was secured after five years and also considering the antecedent of the petitioner, this court is not inclined to grant bail to the petitioner.

5. Accordingly, the Criminal Original Petition stands dismissed.

03-01-2025

To

1. The State Of Tamil Nadu

Rep. By The Inspector Of Police, H-6, R.K.Nagar Police
Station, Chennai

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A.D.JAGADISH CHANDIRA.,J.

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