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Crl.O.P.No.30164 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.30164 of 2025

Mohammed Jameel

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
C-2 Elephant Gate Police Station,
Chennai.
(Crime No.58 of 2019)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in S.C.No.146 of 2022 on the file of the learned X Additional District and Sessions Judge at Chennai in connection with Crime No.58 of 2019 on the file of the respondent.

For Petitioner(s) : Mr. K. Shahul Hameeth

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 26.09.2025 based on execution of NBW dated 22.12.2022 in S.C.No.146 of 2022 on the file of the learned X Additional District and Sessions Judge at Chennai for the offences under Section 279, 304(ii) IPC, 185 of M.V. Act of IPC registered in Crime No.58 of 2019 on the file of the respondent, seeks bail.

2. The learned counsel appearing for the petitioner submitted that originally the petitioner was earlier arrested and released on bail and was regularly appearing before the Trial Court for the case in S.C.No.146 of 2022 and due to his ill health, he was unable to appear before the Trial Court on 22.12.2022, hence a NBW was issued as against the petitioner and subsequently, the petitioner surrendered before the Trial Court on 26.09.2025. He further submitted that the petitioner has no previous antecedents and the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

3. The learned Government Advocate (Criminal Side) appearing



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for the respondent while opposing the bail to the petitioner submitted that since the petitioner failed to appear before the Trial Court on hearing, a NBW was issued and subsequently, he was arrested. He also submitted that the petitioner had absconded nearly for 3 years and due to which, the trial has not progressed; that there are totally 15 witnesses in this case and the trial date is fixed and posted for examination of witnesses L.W.1 to L.W.5.

4. Considering the facts of the case, the trial has commenced and posted for examination of witnesses, taking note of the fact that the petitioner had absconded nearly for 3 years and if the petitioner is enlarged on bail, there is a possibility of hampering of trial process, hence this Court is not inclined to grant bail to the petitioner at this stage.

5. Accordingly, this criminal original petition stands dismissed.

05.11.2025

stn



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K. RAJASEKAR, J.

stn

To

1. The X Additional District and Sessions Judge,
Chennai.
2. The Inspector of Police,
C-2 Elephant Gate Police Station,
Chennai.
(Crime No.58 of 2019)
3. The Public Prosecutor,
High Court of Madras.

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