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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.34739 of 2025

K.Basha

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
P-2 Otteri Police Station,
Chennai.
(Crime No.147 of 2010)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleased to enlarge the petitioner on bail in S.C.No.210 of 2013 on the file of the
learned IV Additional City Civil Court, Chennai.

For Petitioner : Mr.M.V.Bibin Mahesh

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

ORDER

The petitioner was arrested and remanded to judicial custody on 23.10.2025 for the alleged offence punishable under Sections 341, 323, 353, 395, 506(ii) of IPC in connection with S.C.No. 210 of 2013 on the file of the learned IV Additional City Civil Court, Chennai in Crime No.147 of 2010 registered on the file of the respondent, seeks bail.



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2. The allegation against the petitioner is that he was involved for the offence under Sections 341, 323, 353, 395, 506(ii) of IPC. Earlier, the petitioner was arrested and released on bail. However, due to health issues, the petitioner failed to appear before the Trial Court. Pursuant to which, a Non-Bailable Warrant (NBW) was issued against him on 03.01.2022, which was executed on 23.10.2025, and the petitioner was remanded to judicial custody.

3. Learned counsel appearing for the petitioner submitted that as the petitioner's mother was bedridden, the petitioner was unable to appear before the Trial Court on 03.01.2022, due to which a Non-Bailable Warrant came to be issued against him. He further submitted that the earlier date of hearing was not properly communicated to the petitioner. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner has 6 previous cases and the case is now posted for examination of witnesses. Hence, he opposed to grant bail to the petitioner.

5. Considering the submissions made by the learned counsel on either side, and the fact that the petitioner remained absconding for three years while the trial has been progressing, now pending only for A2 and A3, as the other accused have died, this Court is not inclined to grant bail to the petitioner.



6. Accordingly, the Criminal Original Petition is dismissed.

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drl

To

1. The Inspector of Police,
P-2 Otteri Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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