EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

DECISION

Application no. 53343/19
Nazip Irikovich KAYUMOV
against Russia
(see appended table)

The European Court of Human Rights (Third Section), sitting on 30 June 2022 as a Committee composed of:

Darian Pavli, *President,*
Andreas Zünd,
Mikhail Lobov, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 3 October 2019,

Having regard to the observations submitted by the respondent Government,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Mr E.Y. Abdrashitov, a lawyer practising in Oryol.

The applicant's complaint under Article 5 § 3 of the Convention concerning the excessive length of pre-trial detention was communicated to the Russian Government ("the Government").

THE LAW

The applicant complained that there had been no sufficient reasons for his pre-trial detention between 27 March and 21 June 2019. He relied on Article 5 § 3 of the Convention, which read as follows:

Article 5 § 3

> "3. Everyone arrested or detained in accordance with the provisions of paragraph 1 (c) of this Article shall be ... entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial."

The Court observes that the general principles regarding the right to trial within a reasonable time or to release pending trial, as guaranteed by Article 5 § 3 of the Convention, have been stated in a number of its previous judgments (see, among many other authorities, *Kudła v. Poland* [GC], no. 30210/96, § 110, ECHR 2000-XI, and *McKay v. the United Kingdom* [GC], no. 543/03, §§ 41-44, ECHR 2006-X, with further references).

In the present application, having examined all the material before it, the Court considers that for the reasons stated below, the applicant's complaint about the unreasonable length of his pre-trial detention is inadmissible.

The Court notes that, when deciding on the applicant's pre-trial detention, the domestic courts relied on the existence of a reasonable suspicion of his involvement in the traffic accident and the gravity of charges, the fact that he had absconded after the accident and, therefore, he was liable to abscond if released and could put pressure on witnesses and the victim. The Court is prepared to accept that the seriousness of the alleged crime and the applicant's conduct could reasonably constitute sufficient factual grounds justifying his pre-trial detention for about three months (see *Denisenko and Bogdanchikov v. Russia*, no. 3811/02, §§ 128-37, 12 February 2009, and *Primov and Others v. Russia*, no. 17391/06, § 88, 12 June 2014).

In view of the above, the Court finds that the applicant's complaint is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 21 July 2022.

Viktoriya Maradudina Acting Deputy Registrar	Darian Pavli President

APPENDIX

Application raising complaints under Article 5 § 3 of the Convention (excessive length of pre-trial detention)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Period of detention	Court which issued detention order/examined appeal	Length of detention
53343/19 03/10/2019	**Nazip Irikovich KAYUMOV** 1987	Abdrashitov Elik Yevgenyevich Orel	27/03/2019 to 21/06/2019	Privolzhskiy District Court of Kazan; Supreme Court of the Tatarstan Republic	2 month(s) and 26 day(s)