



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Nineteenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11216 of 2015

BABU

... PETITIONER/ ACCUSED No.1

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
PALANI TALUK POLICE STATION, PALANI,
DINDIGUL DT, CRIME NO.891/1997

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.POORNA CHANDRAN Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 in Crime No.891 of 1997 on the file of the respondent police, was arrested and remanded to judicial custody on 25.09.2012 for the alleged offence punishable under Sections 376, 302 and 201 r/w. Section 34 of I.P.C., and hence, seeks bail.

2.The case of the prosecution is that the accused have committed rape and murder the daughter of the de-facto complainant.

3.The learned counsel for the petitioner submitted that the occurrence had taken place in the year 1997 and after completing the investigation, the respondent had also a filed final report in the year 1998. He further submitted that due to poverty, the petitioner had gone to Mumbai and he was not aware of the proceedings before the Sessions Court. He further submitted that A2 to A4, who faced the trial were acquitted by the Sessions Judge, after full-fledged trial. Therefore, the petitioner's application may be considered on sympathetic ground.

4.Per contra, the learned Government Advocate (Crl.side) vehemently opposed the bail application stating that this is a case of rape and murder and the accused had been successfully absconding for more than 8 years and once if the petitioner is released on bail, again he will not abscond. He further submitted that all the witnesses are ready and the case can be disposed within a period of two months.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the allegation made against this petitioner and the conduct of the petitioner, this Court is not inclined to grant bail to the



petitioner. Hence, the criminal original petition is dismissed. However, the Mahila Court, Dindigul is directed to dispose of the case in S.C.No.48 of 2013 as expeditiously as possible Preferably on or before 21.08.2015.

sd/-
19/06/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

- 1 THE MAHILA COURT, DINDIGUL.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE
PALANI TALUK POLICE STATION, PALANI, DINDIGUL DISTRICT.

+1. CC to M/S.S.POORNA CHANDRAN Advocate SR.No.32211.

TS/22.06.2015/2P -6C

ORDER
IN
CRL OP(MD) No.11216 of 2015
Date :19/06/2015