



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

Friday, the Eleventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17257 of 2015

BABU

... PETITIONER/ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PALANI TALUK POLICE STATION,
PALANI, DINDIGUL DISTRICT.
(CRIME NO. 391 OF 1997)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S S.POORNA CHANDRAN ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA, GOVERNMENT ADVOCATE (CRL.SIDE)

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

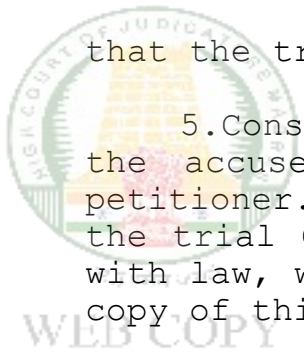
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 in Crime No.391 of 1997 on the file of the respondent police, was arrested and remanded to judicial custody on 25.09.2012 for the alleged offences punishable under Sections 376, 302 and 201 I.P.C r/w 34 of I.P.C., and hence, seeks bail.

2.Earlier, the petitioner moved an application in Cr1.O.P.(MD). No.11216 of 2015 seeking bail. Considering the fact that the occurrence had taken place in the year 1997 and non bailable warrant was issued against the petitioner on 31.08.1998 could be executed only on 25.09.2015, this Court dismissed the application with direction to dispose of the case as expeditiously as possible preferably on or before 21.08.2015.

3.Mr.S.Poorna Chandran, learned counsel for the petitioner submitted that the petitioner has been incarceration for the past three years and the co-accused were acquitted, after trial. It is further submitted that the trial Court has not disposed the case as per the direction issued by this Court and hence, the petitioner is entitled for bail.

4.Per contra, the learned Government Advocate (Cr1.side) would submit that the petitioner is the prime accused for the offences under Sections 376 and 302 I.P.C., and the case is now posted for examination of Investigating Officer and it is further submitted



that the trial could be completed within a period of two weeks.

5.Considering the gravity of the offence, and the conduct of the accused, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed with a direction to the trial Court to dispose of the case on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

sd/-
11/09/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

ORDER
IN
CRL OP(MD) No.17257 of 2015
Date :11/09/2015

2P/5C
TE/NGM-SS/SAR-II 22/09/2015