



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

Tuesday, the Twenty Fourth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4157 of 2015

RAMESH

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SETHUR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.57/2010

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.MAYAPERUMAL Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.01.2015, for the offence punishable under Sections 376 and 302 of the Indian Penal Code, in Crime No.57 of 2010, on the file of the respondent police, seeks bail.

2. Since this Court is not inclined to grant Bail to the petitioner, the learned counsel for the petitioner seeks permission of this Court to withdraw the Criminal Original Petition and he has also made an endorsement to that effect.

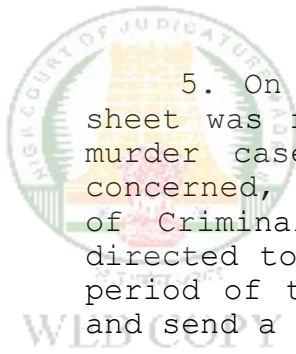
3. In view of the above, this Criminal Original Petition is dismissed as withdrawn.

4. This Court, vide order dated 17.03.2015, called for a report from the Principal Sessions Court, Srivilliputhur, as to the reasons for delay in conducting trial of the case from 2010 to 2015. Pursuant to the said order, the Principal Sessions Court, Srivilliputhur, by his communication, dated 23.03.2015, sent a report, which reads as follows:-

"With reference to the above, I submit the report that S.C.No.141/2010, on the file of this Court was taken on file on 19.10.2015 and accordingly notice was issued to the accused Ramesh. He has appeared on 20.01.2011. After that, from 16.03.2011 to 05.08.2014, the above accused has not appeared before this Court and he was continuously absent, but only 317 petitions were filed by the counsel for the accused. On 26.08.2014, accused was absent and also there was no representation. Hence NBW was issued. The said accused was arrested and produced before this Court on 22.01.2015. Charges were framed and the accused was questioned. The case stands

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

This is submitted for favour of kind information."



5. On a perusal of the said report, it appears that though charge sheet was filed, which was taken on file, on 19.10.2010, in a rape and murder case, the petitioner has not been appearing before the Court concerned, but has been filing petitions, under Section 317 of the Code of Criminal Procedure. Under such circumstances, the Trial Court is directed to expedite the trial of the case and complete the same within a period of three months from the date of receipt of a copy of this order and send a report to this Court.

sd/-
24/03/2015

/ TRUE COPY /

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

TO

1. THE PRINCIPAL SESSIONS JUDGE,
SRIVILLIPUTHUR.
2. THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
3. THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
4. THE INSPECTOR OF POLICE
SETHUR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

ORDER
IN
CRL OP(MD) No.4157 of 2015
Date :24/03/2015

RG.27.03.2015 2P.5C.