



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

Wednesday, the Eighth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.9398 of 2015

MUTHU PANDI ALIAS MARK MUTHUPANDI ... PETITIONER / ACCUSED 3

Vs

STATE REP BY: THE INSPECTOR OF POLICE
AMBATHURAI POLICE STATION
DINDIGUL DISTRICT
CRIME NO 392 OF 2010

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MAHESWARAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

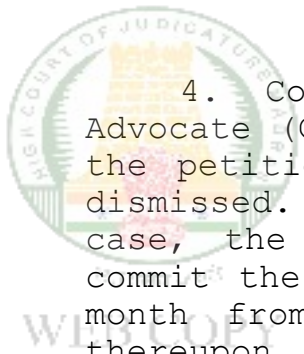
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A3 in Crime No. 392 of 2010 on the file of the respondent police was arrested and remanded to the judicial custody by the respondent's police on 29/03/2015 in pursuant to the non bailable warrant issued against him in PRC.No.7 OF 2011 on the file of the learned Judicial Magistrate No. III, Dindigul District, for the alleged offence under Section 395 r/w 397 IPC and hence seeks bail.

2. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody for more than two months and his bail application may be considered.

3. The learned Government (Crl. Side) vehemently opposed this bail application stating that the occurrence had taken place in the year 2010 and despite filing of charge sheet in the year 2011, the accused had been adopting dilatory tactics to prolong the case. He further submitted that the earlier warrant issued against him was re-called on 18/06/2013 and the learned Magistrate had issued the warrant for the second time on 07/10/2013 and he could be secured only after one and a half year and the petitioner is having three previous cases. He further submitted that the prosecution is ready to get along with the main case.



4. Considering the submission of the learned Government Advocate (Crl. Side), this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed. However, considering the facts and circumstances of the case, the learned Judicial Magistrate No. III, Dindigul, shall commit the case to the court of Sessions within a period of one month from the date of receipt of a copy of this order and thereupon, the trial Court shall complete the trial within a period of three months thereafter, preferably on day to day basis.

sd/-

08/07/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
NO III, DINDIGUL

2 THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL

3 THE ADDL. PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH
COURT, MADURAI

4 THE OFFICER IN CHARGE
SUB JAIL, DINDIGUL

5 THE INSPECTOR OF POLICE
AMBATHURAI POLICE STATION
DINDIGUL DISTRICT

1. CC to M/S.R.MAHESWARAN Advocate SR.No.37290

DM 10 7 15 - 2p 7c

ORDER

IN

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Date :08/07/2015