



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

Friday, the Thirtieth day of September Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice S.NAGAMUTHU

and

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL MP(MD) Nos.5609,6618,6619 and 6620 of 2016

IN

CRL A(MD) No.274 of 2011

M.RAMESH PANDI @ ROBERT	... PETITIONER/8TH RESPONDENT IN CRL MP(MD)No.5609/2016
P.KANDASAMY	... PETITIONER/7TH RESPONDENT IN CRL MP(MD)No.6618/2016
G.RAMAIHA PANDIAN	... PETITIONER/9TH RESPONDENT IN CRL MP(MD)No.6619/2016
M.VALLIVITTAN	... PETITIONER/10TH RESPONDENT IN CRL MP(MD)No.6620/2016

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
CBI/SCB/CHENNAI.

... RESPONDENT/APPELLANT
IN ALL THE PETITIONS

PRAYER IN CRL MP(MD)No.5609/2016 IN CRL A(MD)NO.274/2011:

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to enlarge the accused No.8/Petitioner on bail in Crl.A(MD). No.274 of 2011 on the file of this Honourable High Court.

PRAYER IN CRL MP(MD)No.6618/2016 IN CRL A(MD)NO.274/2011:

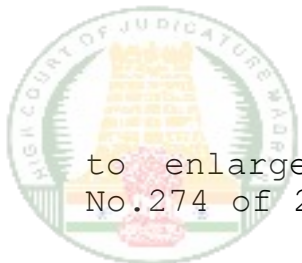
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to enlarge the accused No.7/Petitioner on bail in Crl.A(MD). No.274 of 2011 on the file of this Honourable High Court.

PRAYER IN CRL MP(MD)No.6619/2016 IN CRL A(MD)NO.274/2011:

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to enlarge the accused No.9/Petitioner on bail in Crl.A(MD). No.274 of 2011 on the file of this Honourable High Court.

PRAYER IN CRL MP(MD)No.6620/2016 IN CRL A(MD)NO.274/2011:

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased



to enlarge the accused No.10/Petitioner on bail in CrI.A(MD). No.274 of 2011 on the file of this Honourable High Court.

Order: These miscellaneous petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S G.KARUPPASAMY PANDIYAN, Advocate for the petitioner in CrI.MP(MD)Nos.5609,6619 & 6620/16 in CrI.A(MD) No.274/11 and MR.T.J.EBENEZER CHARLES, Advocate for the petitioner in CrI.MP(MD)No.6618/2016 in CrI.A(MD)No.274/11 and of MR.B.MOHAN, Special Public Prosecutor for CBI in all the miscellaneous petitions, the court made the following order:-

(Order of the Court was made by **S.NAGAMUTHU, J**)

These petitions have been filed by the respondents 7 to 10 in CrI.A.(MD) No.274/2011 seeking bail pending the said appeal. The said appeal has been filed by the Central Bureau of Investigation challenging the acquittal of these accused/respondents/petitioners.

2. It is a case of triple murder. The judgment of the trial Court was dated 09.12.2009. The appeal has been filed challenging the acquittal of the accused by the trial Court and the same is pending from 2011. For five years, these accused were playing hide and seek game without making appearance before this Court. On an application made by the CBI, in CrI.M.P.No.594/2016, a Division Bench of this Court had issued warrant for the arrest of the accused. Not only these petitioners, all the other accused also absconded and they did not care to appear before the Court respecting the law. Ultimately, by an order, dated 27.01.2016, non bailable warrants were issued and even after that they could not be executed forthwith and they were executed only in the month of March 2016 and the petitioners/accused along with other accused were produced. The conduct of these petitioners/respondents in absconding for about five years, taking the Court for a ride, will all go to show that there is no guarantee that they will appear in future to enable the Court to hear the appeal on merits. Therefore, we are not inclined to grant bail to the petitioners. Accordingly, these petitions are dismissed.

The Registry is directed to list the appeal on 18.10.2016.

sd/-

30/09/2016

/ TRUE COPY /

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



TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.

4 THE INSPECTOR OF POLICE, CBI/SCB/CHENNAI.

5 THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE SECTION OFFICER, CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+3ccs to M/S.G.KARUPPASAMY PANDIAN, Advocate

in SR.Nos.57831,57829&57830

+1cc to M/S.T.J.EBENEZER CHARLES, Advocate in SR.No.57826

ORDER

IN

CRL MP (MD) Nos.5609,6618,6619
and 6620 of 2016

IN

CRL A (MD) No.274 of 2011

Date :30/09/2016

PA/GSV-PM/SAR III/05.10.2016/3P/11C