



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

Wednesday, the Twenty Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13007 of 2017

WEB COPY

ROBIN @ RAVI

... PETITIONER/ACCUSED No.2

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
ODAIPATTI POLICE STATION,
THENI DISTRICT.
(CR.NO.143/2014)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SENGUTTUARASAN Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

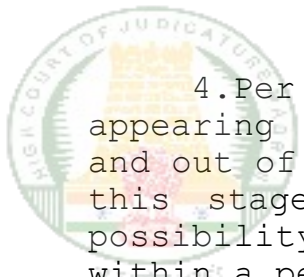
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/accused No.2, who was arrested and remanded to judicial custody on 04.12.2014 for the alleged offences punishable under Section Girl Missing @ Section 174 Cr.P.C., @ Section 302 IPC., and Section (g)(m) and Section 6 of the Protection of Children from Sexual Offences Act, 2012, in Crime No.143 of 2014, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on the complaint of the defacto complainant, that her daughter, aged 10 years was missing on 01.12.2014 and they found the body of her daughter on 01.12.2014, a case has been registered for the above said offences and charge sheet was filed for the offence of rape and murder of 10 years old girl. This is the fourth bail application filed by the accused. Earlier this Court has not considered the plea of bail and rejected categorically holding that during the disposal of the trial, the petitioner is not entitled for bail.

3.The learned counsel for the petitioner submitted that repeatedly this Court issued direction to the trial Court to complete the trial. Though the case was registered in the year 2014, charge sheet was filed in the year 2015. Thereafter, there is no progress in the case and the continuous incarceration of the petitioner in jail is depriving the liberty of the petitioner. Hence, he prays for bail.



4. Per contra, the learned Government Advocate (Criminal side) appearing for the State would submit that the trial has commenced and out of 35 witnesses, 19 witnesses have already been examined. At this stage, if the petitioner is granted bail, there is every possibility for jumping bail and he seeks time to complete the trial within a period of four months.

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5. Considering the submissions made by the learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side) appearing for the State, this Court is of the opinion that the time limit may be fixed to the trial Court to complete the trial as expeditiously as possible. Since the accused in jail for the past three years, this Court directs the Court below to complete the trial within a period of four months from the date of receipt of a copy of this order. Accordingly, this Criminal Original Petition is dismissed.

sd/-
25/10/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
ODAIPATTI POLICE STATION, THENI DISTRICT.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13007 of 2017
Date :25/10/2017

PK/SM-RR/SAR-2/02.11.2017 : 2P/4C