



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

Friday, the Fifteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17311 of 2017

MADHAVAN @ MADASAMY

... PETITIONER/1st ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
UTCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.82/2013

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.ABIYA, Advocate

For Respondent : M/S.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.1, who was arrested and remanded to judicial custody on 07.05.2013, for the alleged offences punishable under Sections 302, 109 and 201 of IPC., altered into Section 201 read with 302 and 34 of IPC., in Crime No.82 of 2013, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 07.05.2013, due to the previous motive, the accused persons attacked the defacto complainant's husband and murdered him. Based on the complaint given by the defacto complainant, case has been registered for the above said offences against the accused persons.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner was implicated in this murder case in the year 2013 and immediately, he was arrested and remanded to judicial custody. Thereafter, investigation was completed and the case was taken on file in S.C.No.43 of 2015, on the file of the learned Sessions Judge, Fast Track Mahila Court, Ramanathapuram. He further submitted that the bail application already filed by the petitioner was dismissed by the trial Court.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the trial is almost over and prosecution evidence and defence evidence was also over and it is



posted for further hearing. At this stage, granting bail to the petitioner will affect the trial. Hence, he prays for dismissal of this bail application.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl. Side), I am not inclined to grant bail to the petitioner, however, considering the period of incarceration from the year 2013, this Court is of the view that it is appropriate to issue a direction to the trial court to complete the trial within a time frame. Accordingly, the learned Sessions Judge, Fast Track Mahila Court, Ramanathapuram, is directed to complete the trial in S.C.No.43 of 2015, within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this Criminal Original Petition is disposed of.

sd/-
15/12/2017

/ TRUE COPY /

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

TO

1. THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT, RAMANATHAPURAM.
2. THE INSPECTOR OF POLICE,
UTCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.K.ABIYA Advocate SR.No.36317

ORDER
IN
CRL OP(MD) No.17311 of 2017
Date :15/12/2017

MS/SMA/SAR.1/21.12.2017/2P.6C