

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Second day of December Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.24390 of 2019

IN S.C.No.14 OF 2019

(On the file of XVI Additional Sessions Judge, Chennai)

SENTHIL @ MADURAI SENTHIL [PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE, [RESPONDENT]
C.M.B.T.POLICE STATION,
CHENNAI- 600 107
CRIME NO.667 OF 2016.

For Petitioner : M/S R.SANKARASUBBU, SENIOR COUNSEL
FOR M/S ILAYARAJA KANDASAMY

For Respondent : M/S T.P.SAVITHA, Govt. Advocate
O/O PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested through P.T.Warrant on 11.01.2018 and remanded to judicial custody on the same day for the offence under Sections 302, 201, 120 B r/w 34 of I.P.C. in Cr.No.677 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that A1 in this case colluded with the other accused and murdered the deceased. The petitioner is arrayed as A2 in this case.

3.Mr.Sankarasubbu, learned Counsel appearing for the petitioner would submit that the petitioner is the second accused in this case and he did not commit any offence as alleged by the prosecution. Based on the confession statement given by the co-accused, the petitioner has been falsely implicated in this case. He would further submit that the petitioner is in custody for a long period.

4.The learned Counsel appearing for the petitioner would further submit that the petitioner earlier filed CrI.O.P.No.27826 of 2018 and this Court vide order dated 30.11.2018 dismissed the said criminal original petition and directed the Trial Court to complete the trial within a period of six months from the date of receipt of the said order. However, the Trial Court was not able to complete the trial.

Hence, this Court vide order dated 17.10.2019 made in Crl.O.P.No.24390 of 2019, directed the Registry to call for report from the Trial Court.

5.The learned Counsel appearing for the petitioner, on instructions, would further submit that though the petitioner has filed this petition seeking bail, it would suffice, if this Court issues direction to the Trial Court to complete the trial within a reasonable time frame.

6.The learned Additional Public Prosecutor appearing for the State, on instructions, would submit that the witness will be produced and the prosecution will complete the prosecution case within a period of three months. He would further submit that the petitioner is involved in so many cases; in some cases the petitioner was granted bail and in some cases the petitioner was not granted bail. He would further submit that in respect of the same case, apart from S.C.No.14 of 2019, two other S.Cs. are pending in respect of the co-accused and this Court may issue direction to the Trial Court to complete the trial in those two S.Cs. also.

7.Pursuant to the order of this Court, the Trial Court has sent its report. Further, the Trial Court vide letter dated 15.11.2019 in Dis.No.286/2019 addressed to the Registrar General of this Court, has sought for three months time to dispose of the case in S.C.No.14 of 2019.

8.Considering the facts and circumstances of the case and the fact that the petitioner is involved in so many cases; in some cases the petitioner was granted bail and in some cases the petitioner was not granted bail and the submission made on either side and the request made by the Trial Court, I am inclined to issue direction to the learned XVI Additional Sessions Judge, Chennai, to complete the trial in S.C.No.14 of 2019 and connected S.Cs., within a period of three months from the date of receipt of a copy of this order.

9.The petitioner and the prosecution are directed to co-operate with the Trial Court for early completion of trial.

10.The criminal original petition is accordingly closed.

-sd/-
02/12/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 XVI ADDITIONAL SESSIONS JUDGE,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

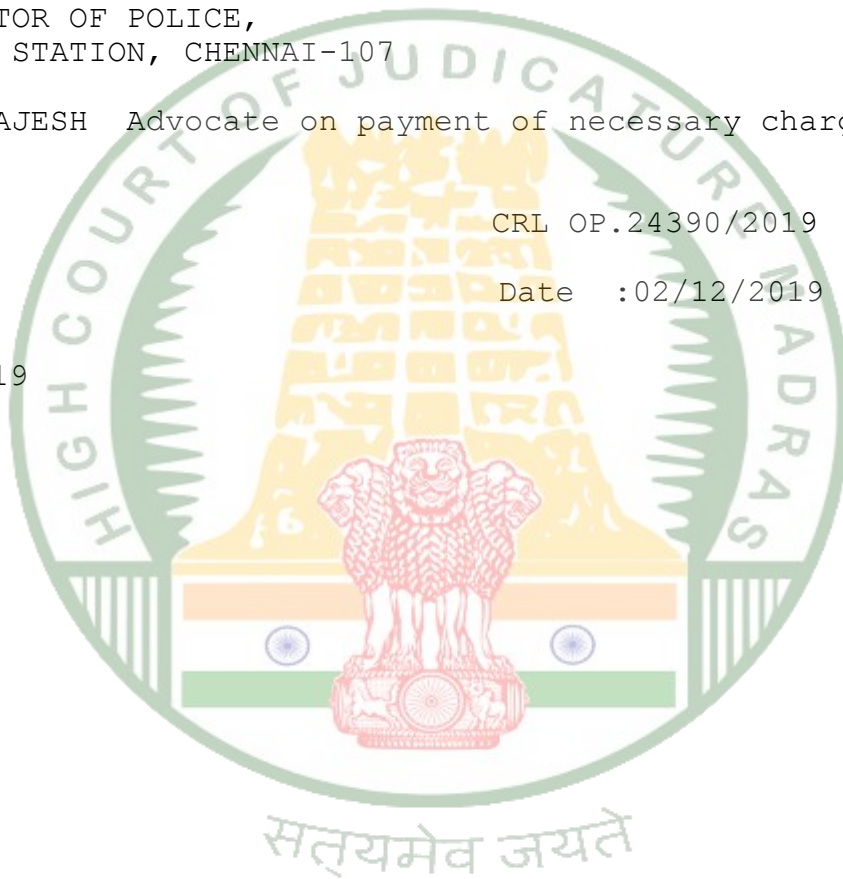
4 THE INSPECTOR OF POLICE,
C.M.B.T.POLICE STATION, CHENNAI-107

CC to K.RAJESH Advocate on payment of necessary charges

CRL OP.24390/2019

Date :02/12/2019

RVR 06/12/2019



WEB COPY