



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2019

WEB COPY

PRESENT

The Hon'ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10584 of 2019

Muthuraj @ Andavar,

... Petitioner/Accused

Vs

The state rep by
The Inspector of Police,
Alangulam Police Station,
Tirunelveli District.
(Crime.No.128 of 2016).

... Respondent/Complainant

For Petitioner : M/s.N.Ramesh Arumugam,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For bail in S.C.No.486 of 2016 on the file of the Additional Sessions Court at Tenkasi.

ORDER : The Court Made the following order :-

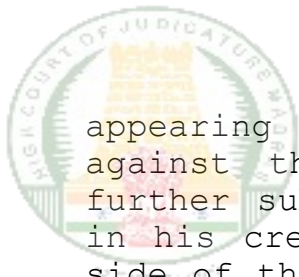
This petition has been filed by the petitioner/ Accused seeking bail for the alleged offence punishable under Sections 341, 302 and 506(ii) of IPC in Crime No.128 of 2016.

2.Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is in custody for the past 3½ years. He further submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that if the petitioner released on bail, he will regularly appear before the trial Court and therefore, he prays to grant bail to the petitioner.

4.Per contra, the learned Additional Public Prosecutor

<https://hcservices.ecourts.gov.in/hcservices/>



appearing for the respondent police has submitted that the case against the petitioner is that he committed triple murder. He further submitted that already the petitioner is having five cases in his credit. He further submitted that all the witnesses on the side of the prosecution were examined before the trial Court except one Investigation officer and examination of the said Investigation officer, the case is posted on 16.08.2019 and on that date the concerned Investigation officer will appear and depose before the trial Court and thereafter the case would be disposed of within a short period and at this stage if the petitioner is released on bail he may not appear before the trial Court and the trial Court cannot dispose the case. Therefore, he strongly opposed this petition.

5.The learned counsel appearing for the petitioner by way of reply has submitted that in all the previous cases, the petitioner was acquitted and this case also false case and he has been unnecessarily detained in the jail for the past 3½ years and therefore, he prays to grant bail to the petitioner.

6.The allegations made against the petitioner is that he committed triple murder. Further, already all the witnesses were examined except one Investigation officer before the trial Court and for examination of the said Investigation Officer the case is posted on 16.08.2019. The learned Additional Public Prosecutor also gave an undertaking that on 16.08.2019 the concerned Investigation Officer will appear before the trial Court without fail.

7.Taking into consideration of the all the aforesaid fact, this Court is not inclined to grant bail to the petitioner.

8.Accordingly, this criminal original petition is dismissed.

sd/-
05/08/2019

/ TRUE COPY /

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

TO

1 THE SUPERINTENDENT ,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT



CRL OP(MD) . No.10584 of 2019

2 THE INSPECTOR OF POLICE
ALANGULAM POLICE STATION,
TIRUNELVELI DISTRICT

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

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ORDER

IN

CRL OP(MD) No.10584 of 2019

Date :05/08/2019

KM/PN/SAR-III (14.08.2019) 3P 4C