



WEB COPY

CRL OP(MD). No.11000 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 05/08/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.11000 of 2019

Nanthakumar, ... Petitioner/Accused No.2

Vs

State rep by  
The Inspector of Police,  
District Crime Branch,  
Trichy District  
(Cr. No. 12 of 2016).

... Respondent/Complainant

For Petitioner : M/s.M.Suresh,  
Advocate.

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

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

PRAYER :-

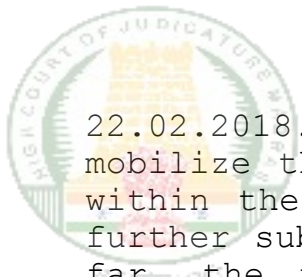
For Bail in Crime No.12 of 2016 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ Accused No.2, seeking bail for the alleged offence under Sections 406, 420, 506 (i), 120(b) IPC.

2.The learned counsel for the petitioner has submitted that already the Sessions Court has granted bail to the petitioner in Cr.M.P.No.462 of 2018 by order dated 08.02.2018 on condition that the petitioner shall deposit a sum of Rs.3,00,000/- on or before

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



22.02.2018. He further submitted that since the petitioner could not mobilize the funds and he was not able to deposit the said amount within the aforesaid period, the said order has become lapsed. He further submitted that the trial was commenced on 03.05.2018 but so far, the trial not completed. He further submitted that as per Section 437 (6) Cr.P.C if the trial is not completed within 60 days from the date of commence, the petitioner is entitled to seek bail and hence, he requested to grant bail to the petitioner.

3.The learned Additional Public Prosecutor has submitted that the trial is in progress and the trial would be completed within a short period. Hence, he opposed this petition.

4.This petitioner has already moved Crl.O.P(MD)No.9440 of 2019, before this Court seeking bail and the said petition was dismissed. However, the learned Judicial Magistrate No.V, Trichy, was directed to complete the trial within a month and dispose of the case in C.C.No.11 of 2018 in accordance with law. The said period is not yet expired and before expiry of the said period, it would not be proper on the part of the petitioner to approach this Court by filing this petition. Hence this petition is dismissed.

5.It is open to the petitioner to file a petition under Section 437(6) of Cr.P.C before the concerned Judicial Magistrate, if the case is not disposed of within the time fixed by this Court in Crl.O.P(MD)No.9440 of 2019. If any such petition is filed, the concerned Magistrate shall dispose of the said petition in accordance with law.

sd/-  
05/08/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.V  
TRICHY

2 THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY

3 THE SUPERINTENDENT ,  
CENTRAL PRISON, TRICHY



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4 THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH TRICHY DISTRICT

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

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ORDER

IN

CRL OP(MD) No.11000 of 2019

Date :05/08/2019

KM/PN/SAR-III (14.08.2019) 3P 6C