

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.07.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.7961 of 2020

Rahul Datta

... Petitioner

/versus/

State Rep. by
The Inspector of Police,
North Police Station
Erode District
(Cr. No.291 of 2019)

.. Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, to enlarge the petitioners on bail in Crime No.291 of 2019 on the file of the Respondent Police.

For petitioner : Mr.N.Chinnaraj

For Respondent : Mr.K.Prabhakar,
Addl Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 11.04.2019 for the offence punishable under Sections 364A, 342, 302 and 201 IPC, in Crime No.291 of 2019, seeks bail.

2. The case of the prosecution is that A1 and A2 belonging to Assam used to secure jobs for displaced labours on commission basis. A3 is the wife of A1. The accused gave assurance to the deceased that they will secure a job for him and asked him to come to their place. When the deceased came to their place, they offered him liquor and detained him for three days and demanded a ransom of Rs.3 lakhs from the parents of the deceased. The parents had deposited Rs.40,000/- only to their account. Therefore, the accused murdered the deceased, cut his body into seven pieces and packed it in a bag. The body of the deceased was seized from the house of the accused. The respondent police after completion of investigation has filed a final report and the case has been committed to the Principal Sessions Court, Erode and the same has been taken up for Trial in S.C.No.17 of 2020.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner was arrested on 11.04.2019 and he is inside the prison for more than 420 days.

Hence, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that it is a case of brutal murder. The accused hail from Assam and used to secure jobs for the displaced labourers on the basis of commission. They have called the deceased to their place and offered him liquor and demanded a ransom of Rs.3 lakhs from the parents of the deceased. They could give the accused only Rs.40,000/- thereby, they have murdered the deceased and his body was cut into seven pieces and packed in a bag. It was stated that the deceased was missing. After due search, the body of the deceased was recovered from the house of the Accused persons. Investigation in this case has been completed and a final report has been filed. The case has been committed to the Principal Sessions Court, Erode and the same is taken up for Trial in S.C.No.17 of 2020 and posted today for engaging counsel for the accused. He would further submit that there are 30 witnesses in this case and if time frame is fixed and the trial will be completed on day to day basis.

5.The learned Additional Public Prosecutor would further submit that the accused are hailing from Assam and if the petitioner is released on bail, there is every chance of him absconding and thereby the progress of the Trial will be derailed.

6.Taking into consideration of the facts and circumstances of the case, this court is not inclined to grant bail to the petitioner. However, the Principal Sessions Court, Erode / Trial Court is hereby directed to complete the trial in SC.No.17 of 2020 within a period of six months from the date of receipt of a copy of this order.

7.With the above direction, this Criminal Original Petition stands dismissed.

-sd/-

01/07/2020

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

TRUE COPY

WEB COPY

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

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, ERODE

2 THE PUBLIC PROSECUTOR
<https://hcservices.ecourts.gov.in/hcservices/>
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

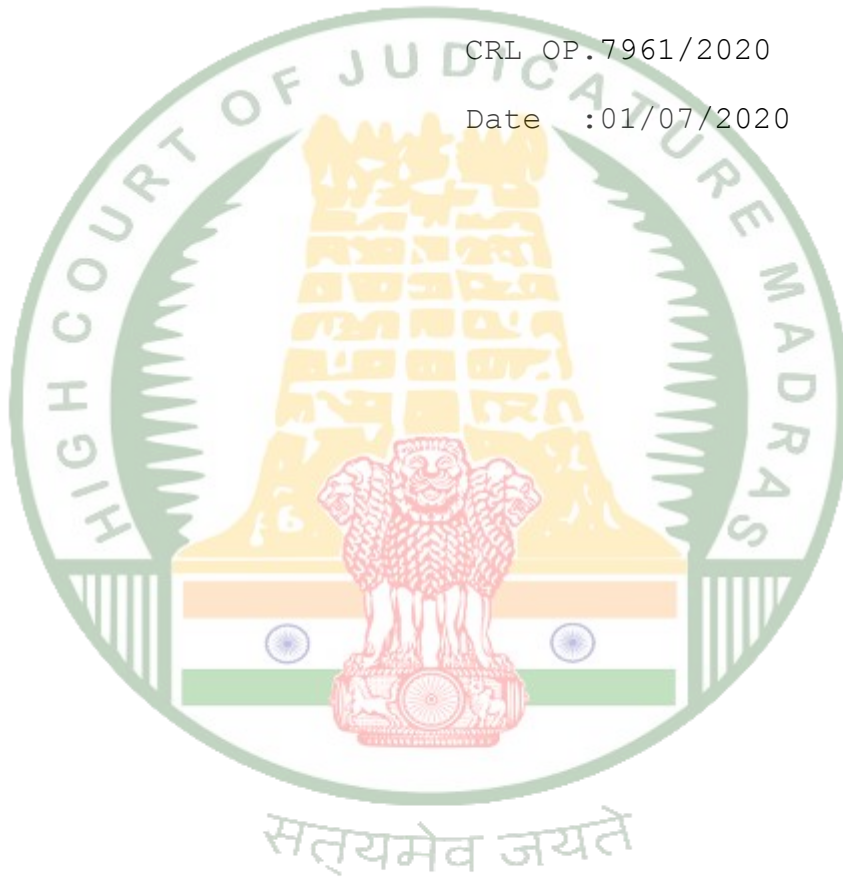
4 THE INSPECTOR OF POLICE,
NORTH POLICE STATION,
ERODE DISTRICT

CC to M/S.N.CHINNARAJ Advocate on payment of necessary charges

CRL OP.7961/2020

Date :01/07/2020

RD 17/08/2020



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