

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Ninth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P.VELMURUGAN

CRIMINAL ORIGINAL PETITION No.4600 of 2021

RAHUL DUTTA

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ERODE NORTH POLICE STATION,
ERODE, ERODE DISTRICT.
CRIME NO.291 OF 2019.

For Petitioner : No Appearance

For Respondent : M/S.M.PRABHAVATHI, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 12.04.2019, for the alleged offence under Sections 364(A), 342, 302 and 201 r/w 109 of IPC in Crime No.291 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner/A2 along with the other accused kidnapped the victim for ransom and murdered him and tampered the evidence.

3.There is no representation for the petitioner.

4. Heard the learned Additional Public Prosecutor for the respondent.

5.The learned Additional Public Prosecutor for the respondent would submit that the investigation has been completed and the respondent police filed charge sheet before the learned Principal Sessions Judge, Erode and the case was taken on file in S.C.No.17 of 2020. She would further submit that the petitioner/A2, who is a native of Assam and the case against the petitioner is a case of brutal murder and that the case is pending for framing of charges. Considering the stage of the case and the native of the petitioner, the Principal Sessions Judge, Erode, dismissed the petition.

6. Admittedly, the case was taken on file in S.C.No.17 of 2020 and the same was posted for framing of charges and that the petitioner belongs to the State of Assam, therefore, if he released on bail there is a possibility of absconding from the case and the trial would be protracted. The main allegation against the petitioner is the case of murder for gain.

7. Considering the serious nature of the offence against the petitioner and also stage of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, this Criminal Original Petition is dismissed.

-sd/-

29/03/2021

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. THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.
2. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.
3. THE INSPECTOR OF POLICE,
ERODE NORTH POLICE STATION,
ERODE, ERODE DISTRICT.

CC to M/S.G.VINODHKUMAR Advocate on payment of necessary charges

CRL OP.4600/2021

Date : 29/03/2021

TK/20.04.2021

WEB COPY