

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:17.04.2021

C O R A M

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

Crl.O.P.No.35039 of 2019

G.Senguttuvan,
S/o.Ganesan.

...Petitioner.

Vs.

1.The State rep. by its
The Inspector of Police,
Paravakottai Police Station,
Thiruvavur District.

2.Poyyamozhi,
S/o.Palayathevar.

...Respondents.

PRAYER: Criminal Original Petition is filed under Section 439 (ii) of Cr.P.C., to cancel the bail granted to the 2nd respondent/accused No.1 through the Crl.M.P.No.454 of 2019 in S.C.No.7 of 2019 dated 19.12.2019, on the file of the Sessions Court for Exclusive Trial of Bomb Blast cases, Chennai at Poonamallee, Chennai.

For Petitioner : Mr.P.Vijendran

For R1 : Ms.Kritika Kamal
Government Advocate (Crl.side)

O R D E R

This criminal original petition has been filed to cancel the bail granted to the 2nd respondent/A1, by an order dated 19.12.2019 passed in Crl.M.P.No.454 of 2019 in S.C.No.7 of 2019 by the learned Sessions Judge, Sessions Court for Exclusive Trial of Bomb Blast cases, Chennai at Poonamallee, Chennai.

2.The second respondent has been arrayed as an accused in Crime No.204 of 2005 for an offence under Sections 302 r/w109, 34 and 120-B IPC and 4(1)(B) of the Explosives Substance Act, 1908. After completion of investigation, the law enforcing agency filed a charge sheet before the learned Judicial Magistrate-II, Mannargudi and the same was taken on file in PRC.No.5 of 2013 and thereafter committed to learned District judge, Thiruvavur and assigned S.C.No.7 of 2019. The learned Judge granted bail to the 2nd respondent on certain conditions. Challenging the same, the petitioner has filed the present petition.

3.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the first respondent.

4.The learned counsel for the petitioner would submit that the second respondent is a notorious criminal and involved in two cases similar in nature. Even after coming out on bail, he involved in two other cases. Therefore, the bail granted requires to be cancelled.

5.The learned Government Advocate submitted that the trial has been commenced and all the witnesses were examined.

6.In view of the submission of the learned Government Advocate, this Court feels it appropriate that the trial should be completed within a stipulated time.

7.Accordingly, the second respondent is directed to appear before the trial Court each and every date of hearing without fail. If, he fails to appear before the trial Court, the bail already granted by trial Court shall stands automatically cancelled without any reference to this Court. The learned Sessions Judge, Sessions Court for Exclusive Trial of Bomb Blast cases, Chennai at Poonamallee, is directed to conduct the trial in S.C.No.7 of 2019, on a day to day basis and complete the trial within a period of three months from the date of receipt of copy of this order.

8.With the above directions, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Special Judge, Sessions Court for Exclusive Trial of Bomb Blast cases, Chennai at Poonamallee.

2.The Inspector of Police,
Paravakottai Police Station, Thiruvavur District.

3.The Public Prosecutor, High Court, Madras.

Crl.O.P.No.35039 of 2019

BR(CO)

A.SK(23.06.2021)