



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirty First day of August Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) No.8795 of 2021

PRASANTH

... PETITIONER/ 1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
WORAIYUR POLICE STATION,
TRICHY DISTRICT
(CRIME NO.387 OF 2021)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.JOEL PAUL ANTONY A Advocate

For Respondent : MR.T.SENTHILKUMAR Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

FOR BAIL IN CRIME NO.387 OF 2021 ON THE FILE OF THE
RESPONDENT POLICE.

This is a case of murder for gain. The learned counsel for the petitioner moved this petition on the ground that the petitioner was arrested on 10.05.2021 and he is in jail for the past 93 days. Further, the respondent Police has not filed any final report and hence, the petitioner is entitled for statutory bail under Section 167(2) Cr.P.C.

2. Considering the submissions made by the learned counsel for the petitioner, this Court, vide order dated 11.08.2021, granted bail to the petitioner.

3. Since the offence seems to be very heinous and the respondent Police has also not filed the final report, this Court, while granting bail to the petitioner, directed the Commissioner of Police, Trichy, to look into the papers and find out the reasons for non-filing of the final report.



4. Pursuant to the direction of this Court dated 11.08.2021, the Commissioner of Police, Trichy, has filed a report, which reads as follows:

"I submit that on verification, I came to know that due to Covid-19 lock-down, the Lower Court was not functioning for the period from 18.05.2021 to 15.07.2021. Thereafter, Forensic Report was received from the concerned department on 12.08.2021. Totally 38 witnesses were examined by the Inspector of Police and the investigation was completed, draft final report was made ready on 18.08.2021.

I submit that from the records, I came to understand that the Deputy Director of Prosecution had given his opinion on 18.08.2021 and the Public Prosecutor had also approved the final report on 23.08.2021 and the charge sheet also filed before the learned Judicial Magistrate No.IV, Tiruchirappalli on 24.08.2021 in Cr.M.P.No.10367 of 2021.

I submit that from the perusal of records, due to pandemic situation as well as the delay in getting viscera and chemical report, charge sheet could not be filed within 90 days."

5. Recording the same, no further order is necessary to be passed in this petition.

sd/-
31/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.IV
TRICHY.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.

4 THE INSPECTOR OF POLICE
WORAIYUR POLICE STATION,

<https://hcservices.courtsofmadras.org/>



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

COPY TO

THE COMMISSIONER OF POLICE,
CITY POLICE OFFICE, PUDUKOTTAI MAIN ROAD,
SUBRAMANIAPURAM,
TRICHY.

ORDER
IN
CRL OP(MD) No.8795 of 2021
Date :31/08/2021

GC/SKN/SAR-II (07.09.2021) 3P 7C