



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 06.10.2021  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice B.PUGALENDHI**

CRL OP(MD). No.15256 of 2021

Fernandas George ... Petitioner/Accused No.2

**Vs**

The State rep.by  
The Inspector of Police  
Mathur Police Station  
Pudukkottai District  
Crime No.367 of 2020

... Respondent/Complainant

For Petitioner : Mr.M.SAM EUGINE JEBAKUMAR, Advocate

For Respondent : Mr.T.SENTHIL KUMAR

Additional Public Prosecutor

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

**PRAYER :-**

For Bail in Crime No.367 of 2020 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioner/A2, who was arrested on 08.12.2020 for the offence under Sections 452 and 397 I.P.C, in Crime No.367 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 06.12.2020, three unknown persons trespassed into the defacto complainant's house, with deadly weapon and robbed eight sovereigns of gold chain from the wife of the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that this is the third bail application. The earlier bail application was dismissed with a direction to complete the trial within a period of four months. He would further submit that now the examination of witnesses have been completed by the prosecution and questioning the accused under Section 313(1)(b) Cr.P.C has also been completed. At this stage, the case records were transferred from the file of Additional Sub Court, Pudukottai to the file of Sub Court, Keeranur. The learned counsel for the petitioner would submit that a direction may be issued to complete the trial within a reasonable time limit. The petitioner is inside the prison for more than 300 days and hence, he seeks for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that if the petitioner is enlarged on bail, he may hamper the evidence and tamper the witnesses and hence, he opposed for grant of bail to the petitioner.



5. In the earlier occasion, this Court by order dated 08.02.2021, directed the Additional Sub Court, Pudukottai to expedite the trial and complete the same within a period of four months. In the meantime, the Additional Subordinate Judge, Pudukottai sought extension of time to complete the trial and considering the present pandemic situation, this Court by order dated 17.09.2021, granted two months time to dispose the case. Now, the case was transferred to the file of Sub Court, Keeranur. The grievance of the petitioner is that the trial is not yet completed within the time limit as prescribed by this Court.

6. Since the trial is almost completed and it is only at the stage of argument, this Court is not inclined to entertain this bail application at this stage. Accordingly, this Criminal Original Petition is dismissed.

7. However, considering the fact that the case is transferred to file of Subordinate Court, Keeranur, the learned Subordinate Judge, Keeranur is directed to complete the trial and dispose the case as early as possible preferably on or before 17.11.2021.

sd/-

06/10/2021

/ TRUE COPY /

/ /2021

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

**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

**TO**

- 1 THE OFFICER INCHARGE,  
DISTRICT JAIL, PUDUKKOTTAI.
- 2 THE INSPECTOR OF POLICE  
MATHUR POLICE STATION  
PUDUKKOTTAI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**COPY TO:**

- 1 THE SUBORDINATE JUDGE,  
KEERANUR.
- 2 THE REGISTRAR (JUDICIAL)  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**ORDER IN**

CRL OP(MD) No.15256 of 2021  
Date : 06/10/2021

SA/VR/SAR.3/20.10.2021/2P/6C

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