



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventh day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2627 of 2022

IN S.C.NO.(K)35 of 2020

(On the file of the Learned Sessions Judge, Mahila Court, Chengalpet)

SATHYA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
T-13, KUNDRATHUR POLICE STATION,
CHENGALPET DISTRICT.
CRIME NO.647 OF 2016

[RESPONDENT]

For Petitioner : M/S S.N.ARUNKUMAR, Advocate

For Respondent : M/S.G.V.KASTHURI, Additional public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 27.11.2017 for the offence under Sections 120(B) of IPC r/w. 449, 302(2 counts), 307, 404, 380, 414 r/w. 109 of IPC and 324 of IPC in Crime No.647 of 2016, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 19.04.2016 at about 6 a.m., one Thenmozhi and her mother Vasantha were done to death and the child was also suffered with injury. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He would further submit that after completing the investigation, the final report has been filed and the case has been taken on file in S.C.No.(k) 35 of 2020 on the file of the learned Sessions Judge, Mahila Court, Chengalpattu, and now the matter is posted for trial. It is his further submission that after filing the final report, further custody may not be necessary and the petitioner may be released on bail.

4.The learned Additional Public Prosecutor raised strong objection stating that the case pertains to the petitioner is pending before the learned Sessions Judge, Mahila Court, Chengalpattu, in S.C.No.(k) 35 of 2020 and it is posted for examination of L.W.10. She would further submit that it is a case of double murder and if the petitioner is released on bail, she may involve in some other cases.

5. The submissions made by the learned Counsel on either side are considered.

6. Before the trial Court, the petitioner is facing trial for the offence under Section 302 IPC (2 counts) in S.C.No.(k) 35 of 2020. Though the above said case has been presented against 3 persons, due to non appearance of the other accused persons, the case against them was splitted and kept that Court records without any improvement. Therefore, if this petitioner is released on bail, he may also try to abscond from the clutches of law. Therefore in the said circumstances, on considering the gravity of offence committed by the petitioner, it would be appropriate to issue some directions to the trial Court for the early disposal of the case.

7.Accordingly, the Sessions Judge, Mahila Court, Chengalpattu, is directed to dispose of the case in S.C.No.(k)35 of 2020 within a period of 6 months from the date of receipt of copy of this order.

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

-sd/-
07/02/2022

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 SESSIONS JUDGE,
MAHILA COURT, CHENGALPET.

2 THE INSPECTOR OF POLICE,
T-13, KUNDRATHUR POLICE STATION,
CHENGALPET DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
PUZHAL, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S M.N.BALAKRISHNAN Advocate on payment of necessary
charges SR.NO.2038

CRL OP.2627/2022

Date :07/02/2022

JPA 16/02/2022