



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/02/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3531 of 2022

Veerasubbu

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
S.S.Colony Police Station,
Madurai.
Crime No.633/2014.

... Respondent/Complainant

For Petitioner : M/s.PRAKASH.R,
Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABHAR,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.633/2014 on the file of the respondent police.

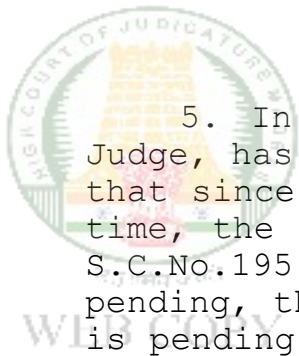
ORDER : The Court made the following order :-

The petitioner/Accused is facing a case for the offences under Sections 147, 148, 341, 302 and 109 I.P.C., in S.C.No.195 of 2018, on the file of the learned VI Additional Sessions Judge, Madurai, in Crime No.633 of 2014, on the file of the respondent police, seeks bail.

2. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State and perused the materials placed on record.

3. Since the petitioner has not turned up for the hearing on 26.08.2021, NBW was ordered to be issued and that NBW was executed and the petitioner was arrested on 31.08.2021 and he is in judicial custody.

4. When the connected matter in CrI.O.P.(MD)No.3014 of 2022 was taken up for hearing on 11.02.2022, on considering the submission made by the learned Counsel for the petitioner as well as the learned Additional Public Prosecutor, this Court directed the Registry to call for a report from VI Additional District Court, Madurai regarding the stage of the case and the reasons for the pendency of the same.



5. In pursuance of the same, the learned Additional Sessions Judge, has submitted a report dated 16.02.2022 wherein he has stated that since NBWs were pending against some of the accused for a long time, the cases were ordered to be split up and that three cases in S.C.No.195 of 2018, S.C.NO.240 of 2018 and S.C.No.120 of 2019 are pending, that all the accused have already been secured and the case is pending for framing of charges and that he has already fixed the date as 03.03.2022 for framing of the charges.

6. In another case in Crl.O.P.(MD)No.2994 of 2022, since the learned Additional District Judge has issued trial proceedings, this Court rejected the petitioner's plea for bail and gave liberty to the petitioner to move before this Court, if the trial is not completed within the time stated by the learned Sessions Judge.

7. It is evident from the records that F.I.R. came to be registered in the year 2014 and after committal, the Sessions Cases are pending from the year 2018 onwards. It is further evident from the report of the learned Additional District and Sessions Judge, that NBWs are pending against some of the accused and hence, the Court was forced to split up the case. It is not in dispute that in all the three cases, the charges are yet to be framed. Since all the accused have already been secured and three Sessions Cases are pending with respect to the same Crime Number, the learned Judge is directed to merge all the cases and frame charges and to proceed with the trial. He is further directed to complete the trial and dispose of the case as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

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

sd/-
23/02/2022

/ TRUE COPY /

/ /2022
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 VI ADDITIONAL SESSIONS JUDGE, MADURAI.



2 THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

COPY TO:

THE REGISTRAR(JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.3531 of 2022

Date :23/02/2022

SA/PN/SAR.3/01.03.2022/3P/6C