



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.02.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.2827 of 2022

V.Balamurugan

... Petitioner/ Sole Accused

Vs

The State Rep. by,
The Inspector of Police,
Thilagar Thidal Police Station,
Madurai District.

... Respondent/Complainant

For Petitioner : Mr.T.Palanisamy, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.229 of 2013 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 28.12.2021 for the offences punishable under Sections 366 and 376(1) IPC, in Crime No.229 of 2013, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had kidnapped the victim girl and committed sexual assault. Hence, the complaint.

3.It is evident from the records that since the petitioner has not turned up on 29.11.2021, the trial Court has issued Non-Bailable Warrant and the same was executed on 28.12.2021 and he is still in judicial custody.

4.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.



5.The learned Additional Public Prosecutor would submit that the trial Court has examined all the witnesses except the Investigation Officer and that the case is pending for examination of Investigating Officer.

6.Considering the facts that the case is pending from 2013 onwards, that the trial is at the fag end and is now pending for examination of Investigating Officer, this Court is not inclined to grant bail to the petitioner at this point of time. However, the trial Court is directed to complete the trial and dispose of the case within a period of one month from the date of receipt of a copy of this order.

7.With the above direction, this Criminal Original Petition is disposed of.

sd/-

09/02/2022

/ TRUE COPY /

/ /2022

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

CSM

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 SESSIONS JUDGE,
MAHALIR NEETHIMANDRAM, MADURAI.
- 2 THE INSPECTOR OF POLICE
THILAGAR THIDAL POLICE STATION, MADURAI DISTRICT.
- 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.2827 of 2022

Date :09/02/2022