



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.06.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.9607 of 2022

Prabhu @ Pillaiyar Prabhu

... Petitioner/Accused No.1

Vs

State through
The Inspector of Police,
Sellur (L&O) Police Station,
Madurai District.
In Crime No.1711 /2018).

... Respondent/Complainant

For Petitioner : M/s.P.Krishnaveni, Advocate.

For Respondent : Mr.R.M.Anbunithi
Government Advocate (Crl.side)

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

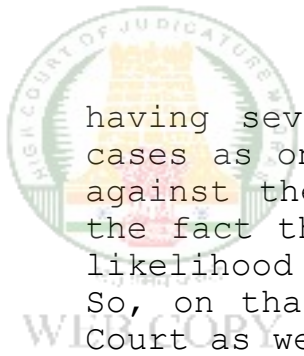
PRAYER :-

For Bail in Crime No.1711 of 2018 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/1st Accused, who was arrested on 04.09.2021 and is facing charges for the alleged offence under Sections 147, 148, 341, 307, 379, 302, 201, 212, 120(b) and 149 IPC and Section 3 (1) of TNPPDL Act, in Crime No.1711 of 2018, on the file of the respondent police, seeks bail.

2.Perusal of records shows that on the earlier occasion, the petitioner was released on bail and later, absconded. So, NBW was issued against him and thereafter, it was executed and the petitioner was remanded to judicial custody on 04.09.2021. Since the petitioner is in judicial custody, the repeated applications that were filed by him came to be dismissed by this Court as well as the



having several criminal cases at his credit including two murder cases as on date. It is also seen that 8 criminal cases are pending against the petitioner before various Police Stations. Considering the fact that if the petitioner is released on bail, there is every likelihood of absconding and thereby, hampering the trial process. So, on that ground also, those applications were dismissed by this Court as well as the trial Court also.

3.Subsequent to the aforesaid orders, the petitioner/A.1 appears to have approached the trial Court also, which also dismissed the bail application successively. Subsequent to that only, this petition came to be filed by the petitioner.

4.It is the contention on the part of the learned counsel for the petitioner that the petitioner is now making arrangement to get married and if he is released on bail, there is every likelihood of reforming himself and lead a normal life in the society. So, according to him, bail may be granted to the petitioner.

5.However, considering the fact that the petitioner/A.1 is having several previous cases, out of which, as I mentioned above, two murder cases are also pending against him and if the petitioner is released on bail, again he may abscond and thereby, hamper the trial process, I am of the considered view that the petitioner is not entitled for the relief of bail. Because of the non-execution of the warrant issued against the co-accused, the trial has not been started so far. So, a direction is issued to the trial Court to split up the case against the petitioner and proceed the same in accordance with law and complete the trial process within a period of 5 months from the date on which the case is split up. Meanwhile, depending upon the change of circumstances, the petitioner is at liberty to file bail application before the appropriate forum.

6.At this juncture, the learned counsel for the petitioner submitted that a marriage proposal was made to the petitioner and the same is under process. So, liberty may be given to the petitioner to move interim bail for performing the marriage.

7.Such liberty is always open to the petitioner either before this Court or before the concerned trial Court.

8.With such liberty and direction, this Criminal Original Petition is dismissed.

sd/-
21/06/2022

/ 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 IV ADDITIONAL DISTRICT
AND SESSIONS JUDGE,
MADURAI.
- 2 THE INSPECTOR OF POLICE
SELLUR L AND O POLICE STATION,
MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISION,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 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.9607 of 2022
Date :21/06/2022

PKP/JM/SAR-3/23.06.2022/3P/6C