



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08/07/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.12297 of 2022

Ganeshan @ Pillaiyar Ganesan

... Petitioner/Accused-1

Vs

State rep.by
The Inspector of Police,
S.S.Colony Police Station,
Madruai District.
(Crime No.633/2014).

... Respondent/Complainant

For Petitioner : M/s.Niranjana S.Kumar, Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
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 No.1 is facing a charge for the offences punishable under Sections 120, 302, 109, 147, 148 and 341 I.P.C., @ 120(b), 109, 147, 148, 302, 341, 201, 212 I.P.C., and Sections 4 and 5 of Explosive Substances Act, 1908, in S.C.No.240 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. It is evident that the petitioner has earlier filed an application for bail in Crl.O.P.(MD)No.3014 of 2022 and this Court, vide order dated 23.03.2022, directed the trial Court to complete the trial and dispose of the case within a period of three months from the date of receipt of a copy of that order.



3. When the matter is taken up for hearing, the learned Counsel for the petitioner would submit that this Court has already directed the trial Court to dispose of the case in S.C.No.422 of 2019 within a period of four months and the learned VI Additional Sessions Judge, Madurai, after completing the trial, has disposed of the case, vide judgment dated 11.03.2022.

4. It is not in dispute that out of 48 witnesses, 30 witnesses have already been examined. The learned Additional Public Prosecutor appearing for the State would submit that the learned Judge, who was presiding VI Additional Sessions Court, where the present case is pending, has been transferred and is now presiding over III Additional District Court cum PCR Court, Madurai and he is holding additional charge of the Court of VI Additional Sessions Court. He would further submit that the same Judge has proceeded with the trial in S.C.No.422 of 2019 and dispose of the case. He would further submit that directions may be given to the learned Judge to dispose of the case, as the prosecution is going to examine only five more official witnesses.

5. Considering the facts and circumstances and also the fact that 30 witnesses have already been examined and only five official witnesses are yet to be examined, this Court is not inclined to grant bail the petitioner. However, the III Additional District Judge, Madurai who is holding additional charge for VI Additional Sessions Court, Madurai is directed to proceed with the trial and dispose of the same within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, the Criminal Original Petition is dismissed.

Sd/-
08/07/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSL

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.



1. THE III ADDITIONAL DISTRICT JUDGE,
MADURAI (ADDITIONAL CHARGE FOR VI
ADDITIONAL SESSIONS JUDGE, MADURAI).
2. THE INSPECTOR OF POLICE,
S.S.COLONY POLICE STATION,
MADURAI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

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

+1. CC to M/S. NIRANJAN S.KUMAR Advocate SR.No.6915

ORDER
IN
CRL OP(MD) No.12297 of 2022
Date :08/07/2022

SP/SVR/SAR I/12/07/2022/3P/7C