



WEB COPY



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

Date : 18/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9021 of 2023

Murugesan

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Vasudevanallur Police Station,
Tenkasi District.
Crime No.311 of 2020..

... Respondent/Complainant

For Petitioner : M/s.Thalaimutharasu.G,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

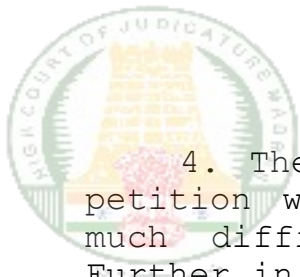
For Bail in Crime No.311 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ sole accused, who was arrested and remanded judicial custody on 17.03.2023 for the offences punishable under Sections 366 of IPC and section 6 r/w.5(1) of POCSO Act,2012 in Crime No.311 of 2020, on the file of the respondent police, seeks bail.

2. Earlier the petitioner was arrested and released on bail. Thereafter the petitioner did not appear before the trial Court, hence Non Bailable Warrant was issued on 28.02.2023. The petitioner was arrested on execution of Non Bailable Warrant on 17.03.2023

3.The learned counsel for the petitioner would submit that the petitioner is regularly appearing before the trial Court on all hearing dates and due to his ill health he was unable to appear before the trial Court, due to which Non Bailable Warrant came to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 17.03.2023.



4. The learned Additional Public Prosecutor opposing the bail petition would submit that the petitioner is absconding and with much difficulty the respondent police secured the petitioner. Further in this case some witnesses have been examined and the case is at the part heard stage and if the petitioner is released on bail, he may abscond again. Further it is a case of murder.

5. Taking into consideration the nature and gravity of offence committed by the petitioner and also the fact that the case is in part heard stage, this Court is not inclined to grant bail to the petitioner.

6. Hence the petition stands dismissed. However the trial Court is directed to complete the trial within a period of two months from the date of receipt of a copy of this order.

sd/-

18/05/2023

/ TRUE COPY /

23/05/2023

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

AAV

TO

- 1 THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES,
TIRUNELVELI (FAC),
TIRUNELVELI DISTRICT.
- 2 THE INSPECTOR OF POLICE
VASUDEVANALLUR POLICE STATION,
TENKASI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.9021 of 2023

Date :18/05/2023

SS/CG/SAR /23/05/2023/2P/5C