



CRL OP(MD). No.14384 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14384 of 2023

Pandiaraj,

... Petitioner/ Accused 12

Vs

The Inspector of Police,
M.Pudhupatti Police Station,
Virudhunagar District.
(Crime No.46 of 2022).

... Respondent/Complainant

For Petitioner : M/s JINNAH.S.M.A,
Advocate.

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :- To enlarge the Petitioner on bail in SC.No.129 of 2022 on the file of the Learned Principal District and Sessions Judge, Srivilliputtur in Cr.No.46 of 2022 pending on the file of the Respondent Police Station.

ORDER : The Court made the following order :-

The petitioner/ Accused No.12 herein, who was arrested on 02.04.2022 for the alleged offence under Sections 120(B), 147, 148, 341, (*)342, 324, 302 & 506(ii) of IPC r/w 109 of IPC, in Crime No.46 of 2022, on the file of the respondent police, seeks bail.



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2.The learned counsel for the petitioner would submit that for the past five years, the petitioner is in custody. Repeated bail applications came to be dismissed.

This is the third bail application filed before this Court. Since final report has been filed and taken cognizance by the Principal District and sessions Judge, Srivilliputhur, in S.C.No.129 of 2022, direction was issued to the trial Court to complete the trial, within a period of three months. But, later request has been made by the Presiding Officer on 15.06.2023, seeking extension of time for three more months. That was also considered by this Court by the order dated 15.06.2023 granting three months time.

3.Now according to the learned Additional Public Prosecutor four more witnesses remaining to be examined and they will be examined in short time. Next date of hearing is 29.08.2023.

4.But, the learned counsel for the petitioner would submit that because of the incarceration, the petitioner is not in position to engage proper Advocate for defending the case. Apart from that his family circumstances also compelling him to come out by enlarging on bail.

5. But, however, considering the fact that it is a case of retaliation, it is premature for this Court to make any observation on the allegation, since trial is going to be over, within a short time, if the petitioner is released on bail, there is no



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guarantee that his life will be safe. I find no reason to entertain this petition. This petition deserves to be dismissed. The trial Court shall complete the trial process as per the earlier direction of this Court.

6. With the above said observations and directions, this criminal original petition is dismissed.

sd/-
16/08/2023

(*)Corrected as per Order of this Hon'ble Court dt.14/09/2023 in Crl.OP(MD). 14384/2023.

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
SRIVILLIPUTTUR.

2 THE OFFICER INCHARGE
VIRUDHUNAGAR DISTRICT JAIL, VIRUDHUNAGAR DISTRICT.

3 THE INSPECTOR OF POLICE,
M.PUDHUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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



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COPY TO:

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

ORDER
IN
CRL OP(MD) No.14384 of 2023
Date :16/08/2023

SA/GB/SAR. /29.09.2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.