



CRL OP(MD). No.18420 of 2023

WEB COPY

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

Date : 07/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18420 of 2023

Gobi @ Vedi Gobi,

... Petitioner/ Accused No.2

Vs

**The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
Crime No.445/2014..**

... Respondent/ Complainant

**For Petitioner : M/s.Prithviraj.C,Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor**

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

PRAYER :-

To release the Petitioner/ Accused on bail in connection with in SC No.136/17 on the file of the III Additional District and Sessions Judge, Pattukottai in Crime No.445/2014 on the file of the Inspector of Police, Orathanadu Police Station, Thanjavur.

ORDER : The Court made the following order :-

The petitioner/ A2, who was arrested and remanded to judicial custody, on

<https://www.mhc.tn.gov.in/judis>



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30/01/2020 for the offences punishable under sections 147, 148, 302 and 506(ii) IPC, in SC No.136 of 2017 on the file of the III Additional District and Sessions Judge, Pattukottai, in Crime No.445 of 2014 on the file of the respondent police, seeks bail.

2.The petitioner is facing the charges for the offence punishable under sections 147, 148, 120(b), 506(ii) and 302 IPC.

3.Earlier the petitioner was arrested and released on bail. Thereafter, the petitioner did not appear before the trial court, so NBW was issued, on 31/07/2018. The petitioner was arrested on execution of NBW, on 30/01/2020.

4.Heard both sides.

5.It was submitted by the learned counsel for the petitioner that the petitioner is in custody ever since from the date of arrest i.e., on 30/01/2020. According to him, for about 3-1/2 years, he is in judicial custody. The crime of the year 2014. Because of NBW issued against the petitioner, the trial could not be completed. He was arrested and remanded to judicial custody.

6. It was also submitted by the learned Additional Public Prosecutor that the petitioner is involved in 17 previous cases out of 17 previous cases, some of the cases are under section 307 and 302 IPC offences. Apart from that, robbery cases are are pending. Considering the antecedents of the petitioner, earlier bail petitions filed by the petitioner were dismissed by this Court with a direction to complete the trial



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process within a period of two months.

7. But now the learned counsel appearing for the petitioner would submit that the above said direction is not complied by the trial court. According to him, even the witnesses have not been cross examined, since did not implicate this petitioner. So, he has not chosen to cross examine the witnesses so far. On that account, he seeks bail.

8. Considering the antecedents of the petitioner, if the petitioner is released on bail before the completion of the trial, again, he may abscond and hamper the trial process. So, this court is not inclined to grant bail to the petitioner at this stage without going into the merits of the case. Further, there shall be a direction to the trial court to complete the trial process within the period ordered.

In the result, this Criminal Miscellaneous Petition is dismissed.

sd/-
07/11/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

1 THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
PATTUKOTTAI, THANJAVUR DISTRICT.



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- 2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE
- 3 THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18420 of 2023
Date :07/11/2023

PKP/JGB/SAR- /07.12.2023/ 4P/ 5C

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