



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.19815 of 2024

S.Anand

... Petitioner

Versus

State Rep by.
The Inspector of Police
CBCID, Nagapattinam District
(Crime No.1 of 2015)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in S.C.No.47 of 2024 on the file of
the learned District and Sessions Judge, Mayiladuthurai.

For Petitioner : Mr.A.Mohamed Ismail

For Respondent : Mr.U.Meganathan
Government Advocate (Crl. Side)

ORDER

This petition has been filed to enlarge the petitioner on bail in
S.C.No.47 of 2024 on the file of the learned District and Sessions Judge,
Mayiladuthurai.



WEB COPY

2. The learned counsel for the petitioner submitted that this is the 8th bail application and it is a case of double murder for gain. He further submitted that despite several direction given by this Court to the Trial Court to complete the trial within a specified period, the trial has not been completed so far. Further submitted that liberty of person is a paramount consideration and as per Article 21 of the Constitution of India, the petitioner is also entitled for speedy trial. He further submitted that the petitioner's wife has filed an HMOP petition, since the petitioner is in judicial custody from 17.12.2019, he is unable to effectively defend the HMOP petition. He would submit that there is a chance that the petitioner will lose his family life. Hence, seeks bail.

3. The learned Government Advocate (Crl.Side) submitted that trial has been completed in this case and the case stands posted for arguments on 03.09.2024. He also submitted that there are three other accused in judicial custody and the petitioner had also filed an application seeking to recall the witness and the same has been dismissed on 28.08.2024. If at the fag end of this case that too at the stage of arguments, if bail is granted to the petitioner, there is a possibility for the petitioner for absconding and it would derail the



progress of the trial.

4. Heard both sides and perused the materials placed on record. Though several directions have been given by this Court directing for speedy trial, it is now represented by the State that examination of the witnesses have been completed and 311 CrPC petition filed by the petitioner also stands dismissed and the case is posted for arguments. Thus, this Court is of the view that at this stage if the bail is granted, there is possibility of derailing the progress of the trial.

5. Accordingly, in view of above, this petition stands dismissed.

02.09.2024

dhk



WEB COPY



A.D.JAGADISH CHANDIRA, J.

dhk

To

1.The District and Sessions Judge,
Mayiladuthurai

2. The Inspector of Police
CBCID, Nagapattinam District

3.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.19815 of 2024

02.09.2024