



CRL OP(MD). No.6907 of 2024

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

Date : 10/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6907 of 2024

Valan @ Sahaya Jerold Valan ... Petitioner/ Accused/ Accused rank not known

Vs

The Inspector of Police,
Suicindiram Police Station,
Kanyakumari District.
(Crime No.729/2012).

... Respondent/Respondent/Complainant

For Petitioner : Mr.S.Palanivelayutham, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

To pass an order directing the petitioner to be released on bail having been arrested in pursuance of the non bailable warrant in relation to SC No.91/2024 (On the file of the Honble I Additional Sessions Judge at Nagercoil, Kanyakumari District).

ORDER : The Court made the following order :-

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



CRL OP(MD). No.6907 of 2024

12.02.2024, pursuant to the NBW issued in S.C.No.91 of 2024 on the file of learned Additional Sessions Judge (Fast Track Court), Kanyakumari concerned in Crime No.729 of 2012 on the file of the respondent police, registered for the offences punishable under Sections 147, 148, 324, 307 and 302 IPC, seeks bail.

2.The case of prosecution is that on 27.09.2012 at about 07.30 p.m., at Panikkan Kudiyiruppu one Chandramohan was alleged to have been murdered by the accused persons, while he was at TASMAL bar. While so, one Ramar had rushed to the scene of occurrence to nap the gun he was also done to death by the said gang. Hence, the complaint.

3.When the matter is taken up for hearing, the learned counsel for the petitioner sought permission to withdraw this petition.

4. The learned Additional Public Prosecutor submitted that due to non-appearance of the petitioner before the Committal Court, NBW has been issued against him on 26.09.2017. After a lapse of 7 years, only on 12.02.2024 he was arrested. Hence, prays to release him on bail.



CRL OP(MD). No.6907 of 2024

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5.It is a case of double murder. Pursuant to the non-appearance of the petitioner, NBW has been issued against the petitioner on 26.09.2017. After a lapse of 7 years, he was arrested only on 12.02.2024, that too, after initiation of proclamation proceedings under Section 446 Cr.P.C.

6.Considering the nature of allegation levelled against the petitioner and the conduct of the petitioner in evading the trial for a period of 7 years, this Court is not inclined to enlarge the petitioner on bail.

7.Accordingly, this petition stands dismissed on merits. However, the learned Additional Sessions Judge (Fast Track Court), Kanyakumari is directed to conclude the trial process in S.C.No.91 of 2024 as expeditiously as possible.

sd/-

10/06/2024

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/06/2024

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

PNM
TO

1 THE ADDITIONAL SESSIONS JUDGE
(FAST TRACK COURT), KANYAKUMARI.



CRL OP(MD). No.6907 of 2024

2 THE INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION, KANYAKUMARI 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.6907 of 2024
Date :10/06/2024

SS/VR/SAR- /18/06/2024/4P/5C

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