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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16983 of 2024

Muthu

... Petitioner/ Accused No.5

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli District.
Crime No. 243/2014.

... Respondent/Complainant

For Petitioner : M/s.Yogeswaran.J,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

Petition for Bail under Section 483 of BNSS

PRAYER :-

To enlarge the petitioner / Accused on bail in S.C No. 116 of 2020 pending trial on
the file of the Learned Assistant Sessions Judge, Ambasamudiram



ORDER : The Court made the following order :-

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The petitioner/ Accused, who was arrested and remanded to judicial custody on 06.08.2024 for the offences punishable under Sections 120(b), 323, 324 and 307 IPC @ 147, 148, 294(b), 341, 120(b) and 506(ii) IPC in crime No.243 of 2014 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

3. Considering the Crime number is of the year 2014 and the Sessions case is of the year 2020 and even though the case was split up and the other accused went through the trial and as a matter of fact those accused who went through the trial got acquitted in the year 2023, only now all these accused are being apprehended or surrendering one after the other and considering the fact that the case is now posted for trial and there is only 17 witnesses to be examined who can be examined expeditiously, I am not inclined to enlarge the petitioner on bail for the present. Even though on the last occasion this Court adjourned the bail application with the direction to produce the LW.1 it seems that the LW.1 was not produced. Unless the prosecution conducts the trial expeditiously again, this court would have no other option considering the application for bail, in which case is of the year 2014 will be pending. In view thereof, the prosecution is directed to produce the respective



witnesses without fail on the respective dates and a copy of this order shall also be produced before the trial court. The trial court shall also endeavour to complete this case as expeditiously as possible by giving short dates. Only considering the fact that the Crime number is of the year 2014, I am not inclined to enlarge the petitioner on bail.

4. Accordingly, this Criminal Original Petition is dismissed. The trial shall be completed as expeditiously as possible in any event not later than three months from the date of receipt of a copy of this order.

sd/-
23/10/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ASSISTANT SESSIONS JUDGE,
AMBASAMUDIRAM,
TIRUNELVELI DISTRICT.

2 THE SUPERINTENDENT ,
CENTRAL PRISON,
PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
VICKRAMASINGAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.



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

ORDER

IN

CRL OP(MD) No.16983 of 2024

Date :23/10/2024

MGJ/SN(14.11.2024) 4P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023