



CRL OP(MD) No.20237 of 2023

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

Wednesday, the Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.20237 of 2023

SUDALAIMUTHU

... PETITIONER/ACCUSED

Vs

THE SUB INSPECTOR OF POLICE
JAIHINDPURAM POLICE STAION,
MADURAI.

(CRIME NO.762 OF 2014)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.S.KRISHNAN, Advocate

For Respondent : MR.RMS.SETHURAMAN, Additional Public Prosecutor

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

PRAYER :

TO ENLARGE THE PETITIONER ON BAIL IN CONNECTION WITH CRIME NO.762 OF 2014 IN S.C.NO.220/2019 ON THE FILE OF THE IV ADDITIONAL SESSIONS JUDGE, MADURAI.

ORDER : The Court Made the following order :-

The petitioner / Accused, who was facing trial in S.C.No.220 of 2019 on the file of the learned IV Additional Sessions Judge, Madurai for the alleged offence under Sections 147, 148, 120(B), 109, 302 and 149 of I.P.C., on the file of the respondent

Police in Crime No.762 of 2014, seeks bail.

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



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2. The case of the prosecution is that on 19.09.2014, the petitioner along with other accused had committed murder of three deceased persons, viz., Karuppu Raja @ Karuppu, Nagaraj and Karthick @ Out Karthick. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. The learned counsel appearing for the petitioner would further submit that the petitioner was already enlarged on bail by this Court and thereafter, a charge sheet was filed and the case was assigned as S.C.No.220 of 2019 and due to his health condition, he is not able to execute the sureties before the lower Court. Thereby, the lower Court issued NBW and pursuant to which, he was arrested and remanded to judicial custody on 19.06.2023. The learned counsel appearing for the petitioner would further submit that the petitioner is ready to abide by any conditions imposed by this Court. He would further submit that the petitioner is in judicial custody for more than six months and hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the occurrence happened in the year 2014 and the charge sheet has been filed in the year 2019 due to non co-operation of the accused. He would further submit that the case is pending for framing of charges before the lower Court.



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5. Considering the facts and circumstances of the case and considering the fact that it is a murder case and also considering the fact the the case is pending for framing of charges, this Court is not inclined to grant bail to the petitioner herein.

6. In view of the above, the Criminal Original Petition stands dismissed. However, the learned IV Additional Sessions Judge, Madurai, is directed to complete the trial and dispose of S.C.No.220 of 2019 within a period of four months from the date of receipt of a copy of this order.

sd/-
03/01/2024

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/01/2024

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

TSG

TO

1 THE IV ADDITIONAL SESSIONS JUDGE, MADURAI.

2 THE SUB INSPECTOR OF POLICE, JAIHINDPURAM POLICE STAION, MADURAI.

3 THE SUPERINTEDENT, CENTRAL PRISON, MADURAI.

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



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ORDER

IN

CRL OP(MD) No.20237 of 2023

Date :03/01/2024

RS/JGB/SAR-(11.01.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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