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Crl.O.P.No.10611 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

Crl.OP.No.10611 of 2025

Stella @ Selva @ Chandrasekar

...Petitioner/A3

Vs.

State by:

The Inspector of Police,
Deevattipatty Police Station,
Crime No.248 of 2010.

...Respondent

Prayer:- Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in PRC
No.22 of 2016 on the file of the Judicial Magistrate, Omalur.

For Petitioner : Mr.M.Vengadesan

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
26.01.2025, for the offence punishable under Sections 302 and 201 of IPC

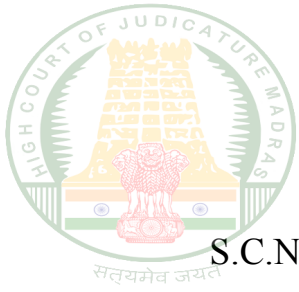


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altered to Sections 302, 379 and 201 of IPC, in PRC No.22 of 2016, on the file of the learned Judicial Magistrate, Omalu, seeks bail.

2.The contention of the learned counsel for petitioner is that the petitioner is facing trial in S.C.No.101 of 2025. NBW issued against the petitioner on 01.09.2021. Thereafter it was executed on 26.01.2025. The petitioner is very much available. Earlier due to Corona the case was not called, later due to the miscommunication, the petitioner was not informed about the pendency of the case. Now the petitioner is appearing before the trial Court regularly. On 03.07.2025, the case was posted for opening of prosecution and the petitioner is ready to co-operate with the trial.

3.The learned Government Advocate (Crl. Side) strongly opposed the petitioner's contention stating that in this case there are totally 5 accused. The offence is of the year 2010. On completion of investigation charge sheet filed in PRC No.20 of 2016. A5 in this case absconded. Hence, the case against other accused got split up in PRC No.22 of 2016. A1 to A4 were committed to the Court of Sessions. The petitioner/A3 and other accused/A4 absconded. Hence, trial against A1 and A2 proceeded in



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S.C.No.164 of 2017 before the II Additional Sessions Judge, Salem. Now in that case, A2 is absconded and the case is pending without any progress. As regards petitioner/A3 and A4, the case against them split up in S.C.No.101 of 2025 and re-arrayed as A1 and A2. The petitioner is absconding from the year 2021. With great difficulty, 4 years thereafter NBW could be issued. The accused in the above case were alternatively absconding and the trial could not be progressed. Both S.C.No.164 of 2017 and S.C.No.101 of 2025 are pending trial before the learned II Additional Sessions Judge, Salem and PRC No.20 of 2016 is pending before the learned Judicial Magistrate, Omalur. Now a special team has been formed, soon A5 would be apprehended and all the cases can be tried together, since it is in the initial stage.

4.Considering the submissions made on either side, it is seen that the case is of the year 2010 and it is almost 15 years, the trial is yet to commence. In view of the same, this Court is not inclined to grant bail.

M.NIRMAL KUMAR, J.



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5.At this stage, the learned counsel for petitioner seeks permission of this Court to withdraw this petition. He has also made an endorsement in the petition to that effect.

6.In view of the same, the Criminal Original Petition is dismissed as withdrawn.

07.07.2025

rsi

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No

To:

1.The Inspector of Police,
Deevattipatty Police Station.

2.The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.

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