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Crl.O.P.Nos.20253 & 21770 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.20253 & 21770 of 2025

Rabindranath Kar ... Petitioner in Crl.O.P.No.20253 of 2025

Jayamala ... Petitioner in Crl.O.P.No.21770 of 2025

Vs.

The State represented by,
The Inspector of Police,
C2, Elephant Gate Police Station,
Chennai. (Crime No.916 of 2020)

... Respondent in both Crl.O.Ps.

Prayer in Crl.O.P.No.20253 of 2025 : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in S.C.No.315 of 2021.

Prayer in Crl.O.P.No.21770 of 2025 : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail for three months on interim bail in S.C.No.315 of 2021 on the file of the learned I Additional Sessions Judge, Chennai in Crime No.916 of 2020 on the file of the respondent.

For Petitioner in Crl.O.P.No.20253 of 2025 : Mr.K.Jayaraman

For Petitioner in Crl.O.P.No.21770 of 2025 : Mr.M.Velan

For Respondent in both Crl.O.Ps. : Mr.R.Vinothraja
Government Advocate (Crl Side)

For Intervenor in both Crl.O.Ps. : Mr.Abdul Azeez



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COMMON ORDER

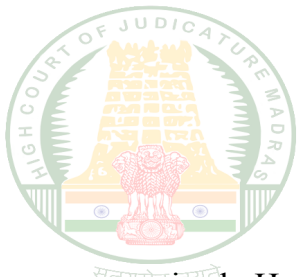
The petitioners/A6 & A4, who were arrested and remanded to judicial custody respectively on 13.11.2020 and 20.11.2020 in connection with Crime No.916 of 2020 registered for the offences punishable under Sections 120((B) r/w 302, 450, 302(3 counts), 380 r/w 34, 109 IPC and Section 27(3), 29(B) and 30 of Arms Act, seeks bail.

2. The case of the prosecution is that this is a triple murder case, where, due to matrimonial dispute, the accused along with other accused had committed murder of A4's husband and in-laws. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that as per the orders passed by the Hon'ble Supreme Court in SLP.(Crl). No.5164 of 2025 dated 30.04.2025, the pronouncement of the final judgment in S.C.No.315 of 2021 has been stayed. Hence, he prayed for the grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) reiterated the prosecution case and opposed for granting bail to the petitioners stating that all the witnesses in this case have been examined and the case is now posted for arguments. Therefore, if the petitioners are enlarged on bail at this stage, they may abscond and not available for further hearings.

5. Learned counsel appearing for the intervenor submitted that the petitioners herein along with other accused played an active role in committing the crime and the accused were identified through CCTV footage and the gun used by them were also



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seized. Hence, he vehemently opposed for the grant of bail to the petitioners.

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6. Heard both sides and perused the materials available on record.

7. On perusal of the records, it is seen that the present case is at an advanced stage of trial, all the witnesses have been examined and the matter is now posted for arguments on the defence side. Further, the contention of the learned counsel for the petitioners cannot be entertained for the reason that the stay has been obtained by the accused and taking advantage of the same, they are now seeking bail, which will not be proper. If at all the petitioners are aggrieved by the delay in the progress of the case, it is for them to approach the Hon'ble Apex Court to obtain appropriate orders. Therefore, this Court is not inclined to grant bail to the petitioners.

8. Accordingly, these Criminal Original Petitions stand dismissed.

06.08.2025

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To

1. The I Additional Sessions Court, Chennai.
2. The Inspector of Police,
Elephant Gate Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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