



CRL OP NO. 31741 01 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31741 of 2024

R.Senthil
S/o.Ramasamy, Vinayagar Nagar, Pachudaiyampatty
Senthamangalam Taluk, Namakkal District.

Petitioner(s)

Vs

The State Rep.By
The Inspector Of Police, Senthamangalam Police Station
Namakkal District Crime No.825/2002

Respondent(s)

For Petitioner(s):

M/s.B.Mohan
B.M.Subash
P.Vetrivel
S.Bharanidharan
T.Sakthivel

For Respondent(s):

Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of S.C.No.51 of 2021 pending on the file of the
learned I Additional District Judge, Namakkal, in connection with Crime No.825 of

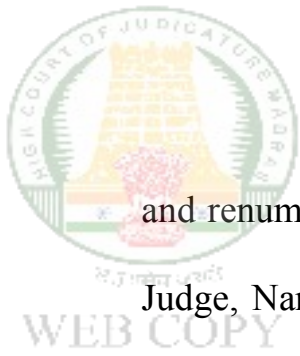


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2002 registered for the offence punishable under Sections 364, 34 r/w 302 of IPC, is on board for consideration.

2. Learned counsel for the petitioner submits that the petitioner, who is arrayed as A1, is facing trial in S.C.No.51 of 2021 pending on the file of the learned I Additional District Judge, Namakkal. He further submits that due to the petitioner's illness, he was unable to appear before the trial Court and also he was not able to contact his counsel, thereby, the trial Court has issued a Non Bailable Warrant of arrest against him on 23.12.2003 and pursuant to the same, the petitioner was arrested on 24.06.2020. He also submits that the petitioner is in custody from the year 2020, however, there is no progress in the trial. He further submits that the petitioner undertakes that he will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent, while objecting for grant of bail, submits that the case is of the year 2002 and initially, the case was taken up for trial in S.C.No.99 of 2005 and since the petitioner absconded from the date of occurrence, case has been split up against the petitioner



and renumbered as S.C.No.51 of 2021 on the file of the learned I Additional District Judge, Namakkal. He further submits that accused 2 and 3, who are the mother and the sister of the petitioner/A1 herein, faced the trial and they were convicted. He further submits that the petitioner has been absconding for more than 17 years and he was arrested only on 24.06.2020 pursuant to the non-bailable warrant issued against him on 23.12.2003. He also submits that it is not a case where the petitioner was not aware of the pending case and since the other accused are the mother and sister of the petitioner, he is well aware of the case pending against him. He further submits that there are 21 witnesses and so far LW1 to LW14 were examined and the case now stands posted today (03.01.2025) for examination of LW15 to LW17, who are Doctors. He also submits that the respondent will be able to complete the trial at the earliest and and therefore, if the petitioner is released on bail at this stage, there is every possibility of him absconding and derailing the progress of the trial.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the stage of the case, this court is not inclined to grant bail to the petitioner.



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A.D.JAGADISH CHANDIRA, J.

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5. Accordingly, the Criminal Original Petition stands dismissed. However, a direction issued to the learned I Additional District Judge, Namakkal, to complete the trial and deliver the judgment in S.C.No.51 of 2021, as expeditiously as possible, preferably, within a period of **six weeks from today**.

03-01-2025

To
1. The State Rep.By
The Inspector Of Police, Senthamangalam Police Station
Namakkal District.
Crime No.825/2002

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Note : Issue order copy by 06.01.2025

Crl.O.P.No.31741 of 2024