



CrI.A(MD)No.917 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED :05.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.A(MD)No.917 of 2024

Mohan

... Appellant

Vs

1.The Deputy Superintendent of Police,
Palayamkottai Sub Division,
Tirunelveli City.

2.State of TamilNadu,
Represented by
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City,
Crime No.196 of 2017.

3.Veerabhagu

... Respondents

PRAYER: Appeal filed under Section 378 of the Criminal Procedure Code, to call for the records relating to the order in Cr.MP.No.3564 of 2023, dated 14.10.2024 in S.C.No.93 of 2017, on the file of the learned II Additional District Judge (PCR) Tirunelveli and set aside the same and grant bail to the appellant by allowing this Criminal Appeal.



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For Appellant : Mr.Mohammed Ayyadurai
For R1 & R2 : Mr.P.Kottaichamy
Government Advocate (Crl.side)

J U D G M E N T

The appellant is the accused No.6 in Crime No.196 of 2017 on the file of the Palayamkottai Police Station for the offence under Sections 147, 148, 341, 294(b), 353, 302, 506(ii) IPC r/w 120(b), 34 IPC and Section 3 of TNPPDL Act r/w Section 3(1)(r), 3(1)(s), 3(2)(v) (a), 4 of SC/ST (POA) Act, 1989. The investigation in the above case has been completed and the case was also committed to the II Additional District Court (PCR), Tirunelveli and now pending in SC No.93 of 2017. The appellant has failed to appear before the trial Court on 19.08.2019 and therefore, a Non Bailable Warrant of arrest was issued as against him and he was arrested on 25.04.2022. Since then, he is in jail. Thereafter, the appellant has moved an application in Cr.MP No.3564 of 2023 before the trial Court and the same was dismissed by the learned trial Judge on 14.10.2024. Challenging the same, the appellant has filed this Criminal Appeal.



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2.This Court, by order dated 26.11.2024 has granted an interim bail till 05.12.2024 and directed the appellant to surrender on 05.12.2024. Accordingly, he has surrendered before the Central Prison, Madurai on 05.12.2024. On 25.02.2025, when this Criminal Appeal is taken up for hearing, a memo has been filed on behalf of the appellant by a Counsel, who has filed this Criminal Appeal stating that the appellant has engaged a new counsel to prosecute the appeal and therefore, he has withdrawn his Vakalat. The present counsel who is appearing for the appellant has produced a letter and submits that he is not pressing this appeal.

3.In the meantime, this Court, by its order, dated 19.11.2024 has called for an explanation from the learned II Additional District Judge, (PCR), Tirunelveli for keeping the trial in SC No.93 of 2017 for nearly seven years. The learned Judge has also offered his remarks on 22.11.2024 stating that he is taking initiative to complete the trial on a day-to-day basis.



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4.Since the learned counsel for the appellant requests for not pressing the appeal, this Criminal Appeal is dismissed as not pressed.
The trial Court is directed to conclude the trial as expeditiously as possible without any further delay.

05.03.2025

Index : Yes/No
Internet : Yes/No
vrn

To

- 1.The II Additional District Judge (PCR) Tirunelveli
- 2.The Deputy Superintendent of Police,
Palayamkottai Sub Division,
Tirunelveli City.
- 3.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.



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B.PUGALENDHI, J.,

vrn

Judgment made in
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05.03.2025