

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Thirteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.15810 & 17682 of 2018

MAYIL @ JEGAN @ JEGADEESAN [PETITIONER IN BOTH THE PETITIONS]

Vs

STATE REP.BY: [RESPONDENT IN CRL.O.P.NO.15810/2018]
THE INSPECTOR OF POLICE,
H-8, THIRUVOTTIYUR POLICE STATION,
THIRUVOTTIYUR, CHENNAI.
CR.NO.674/2018

STATE REP.BY: [RESPONDENT IN CRL.O.P.NO.17682/2018]
THE INSPECTOR OF POLICE (CRIME)
M-8, SATHANGADU POLICE STATION,
SANTHANKADU, CHENNAI.
CRL.O.P.NO.326/2018

For Petitioner : M/S.S.PONNIVALAVAN, Advocate [IN BOTH THE PETITIONS]

For Respondent : MR. M.MOHAMED RIYAZ, Additional Public Prosecutor
[IN BOTH THE RESPONDENT]

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

CRL.OP.NO.15810 of 2018

The petitioner seeks anticipatory bail in H-8 Crime No.674 of 2018 registered by the respondent for the offences under Sections 392, 397 and 506(ii) of IPC.

2. The case of the prosecution as per the de-facto complainant is that on 09.06.2018 at about 8.30.p.m, while the complainant is on the way to his house, the petitioner along with two others came in motorcycle and waylaid the defacto complainant and robbed an amount of Rs.9,700/- and one Samsung mobile phone at knife point and also attacked the defacto complainant with knife.

CRL.O.P.NO.17682 of 2018

3. The petitioner seeks anticipatory bail in Crime No.326 of 2018 registered by the respondent police for the offence punishable under Sections 397 of IPC.

4. The case of the prosecution is that on 10.06.2018 at about 10.00.a.m, the defacto complainant gave a complaint stating that on the previous day i.e., on 09.06.2018 at about 8.00 p.m., when he was returning from School after completion of PTA meeting, through 2nd Street, Kamaraj Nagar, at about 8.30.p.m., some unknown persons have threatened the public with knife, when he had questioned about the activities, two unknown persons came near him and taken Rs.2,250/- from his pocket and mobile phone and they also attacked the defacto complainant.

5. The learned counsel appearing for the petitioner in both cases would submit that the cases have been registered by two different stations but, strangely the occurrence are said to have been happened on the same day and that it could not be possible for the petitioner to commit the offence on the same day.

6. The learned Additional Public Prosecutor would submit that the petitioner along with other accused committed the first offence and thereafter, while going in the bike also committed the second offence. He would submit that the places of occurrence are very close by, however, they lie within the jurisdiction of two different police stations and thereby, the cases have been registered by two different police stations. He would submit that the entire episode has been recorded in CCTV and the respondents have ample evidence to show that the petitioner was involved in the two offences. He would submit that it is the case relating to snatching of chain by the accused while riding motorcycle.

7. Taking into consideration the facts of the case and the submissions made by the counsels and also taking note of the fact that the petitioner is involved in two cases, I am not inclined to grant anticipatory bail to the petitioner.

8. Hence, these petitions are dismissed.

-sd/-
13/07/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE
H-8, THIRUVOTTIYUR POLICE STATION
THIRUVOTTIYUR, CHENNAI.

2 THE INSPECTOR OF POLICE (CRIME)
M-8, SATHANGADU POLICE STATION,
SANTHANKADU, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.PONNIVALAVAN Advocate on payment of necessary
charges

CRL OP.15810& 17682 of 2018

Date :13/07/2018

TA-23/07/2018