

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2020

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.7271 of 2020

S.Raghu,
S/o.Sekar (a) Dhanasekar,
No.15, KK Street,
Chinna Natham,
Chengalpattu Town,
Chengalpattu ..Petitioner

The State rep. by,
The Inspector of Police,
D1, Chengalpattu Town Police Station,
Chengalpattu 603 001
(Cr.No.107 of 2020) ... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail pending investigation in Cr.No.107 of 2020 on the file of the respondent Police.

For Petitioner : Mr.P.Dinesh Kumar

For Respondent : Mr.M.Mohammed Riyaz,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.03.2020 for the offence punishable under Sections 294(b), 341, 397, 307, 506(ii) of IPC by the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner along with One, Ashok demanded money from the defacto complainant for buying Brandy at 01.30 pm on 13.02.2020, when he was going to buy a water packet in his two wheeler. When the complainant refused to give money to the petitioner, the petitioner stabbed and tore his throat with a broken beer bottle. Further the said Ashok took a knife and stabbed complainant's throat and took a five hundred rupee note from the complainant's pocket and went away. Thereafter, the complainant was taken to hospital and admitted as inpatient. Hence, the complaint.

3. The learned counsel for the petitioner submitted that it has not been clearly stated in the FIR whether the complainant has sustained injuries or not. Further, it is stated that the complainant was discharged from hospital on the same day within three hours from the alleged time of crime. If the petitioner had stabbed his throat, he could not have been discharged from hospital to lodge police complaint on the same day. Therefore, the allegations are false and frivolous. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner is a drug addict, and on the occurrence day, he demanded cigarette from the defacto complainant, which was refused. Therefore, he assaulted the defacto complainant with knife, by which the defacto complainant got injured. He further submitted that the petitioner had already involved in four criminal cases and as such he is a habitual offender. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner is frequently indulging in crimes. Therefore, considering that the petitioner has committed very serious offence and also considering that the petitioner was arrested only on 03.03.2020, this Court is not inclined to grant bail to the petitioner. Therefore, this criminal original petition is dismissed.

04.05.2020

Index : Yes/No

Internet : Yes/No

Speaking order/Non-speaking order

lok

G.K.ILANTHIRAIYAN, J.

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To

1. The Inspector of Police,
D1, Chengalpattu Town Police Station,
Chengalpattu 603 0013.
2. The Superintendent,
Central Prison, Puzhal
3. The Public Prosecutor,
High Court, Madras.



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