

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.7504 of 2020

Bramma Moorthy

... Petitioner

Vs.

The State Rep. By
Inspector of Police
Komarapalayam Police Station
Namakkal District.
(Crime no. 188 of 2019)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail pending investigation in Crime No.188 of 2019 on the file of the respondent police.

For Petitioner : Mr.M.Subash

For Respondent : Mr.Mohammed Riyaz
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 12.03.2020 for the offence punishable under Sections 454, 457 and 380 in Crime No.188 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused had stolen defacto complainant's Hyundai i10 car bearing registration No.TN 66 T 8802 and a gold ring. Hence, this complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner was originally arrested on 23.09.2019 in connection with Crime No.164 of 2019 on the file of the Karumalaikoodal Police Station, Salem District. Thereafter, he was formally arrested on 12.03.2020 in the present crime.The learned counsel submitted that the petitioner was arrested on the confession of the co-accused and there is absolutely no other material to connect the petitioner in this crime.He further submitted that the petitioner is suffering incarceration for more than 200 days and hence, he seeks bail for the petitioner.

4.The learned Additional Public Prosecutor would submit that this is second bail petition. The petitioner is a habitual offender and he is involved in eleven previous cases and he had very bad antecedents. He further submitted that in the present case, the petitioner had stolen the defacto complainant's car and a gold ring. Hence, he vehemently opposed for grant of bail to the petitioner.

5. It is seen that the petitioner is a habitual offender and he has already involved in eleven previous cases, similar in nature. Further, the petitioner had stolen the defacto complainant's car and one gold ring. If the petitioner is let out on bail in these pandemic circumstances, the petitioner will involve in similar kind of offences. Therefore, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

12/05/2020

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 SESSIONS JUDGE,
NAMAKKAL.

2 INSPECTOR OF POLICE,
KOMARAPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

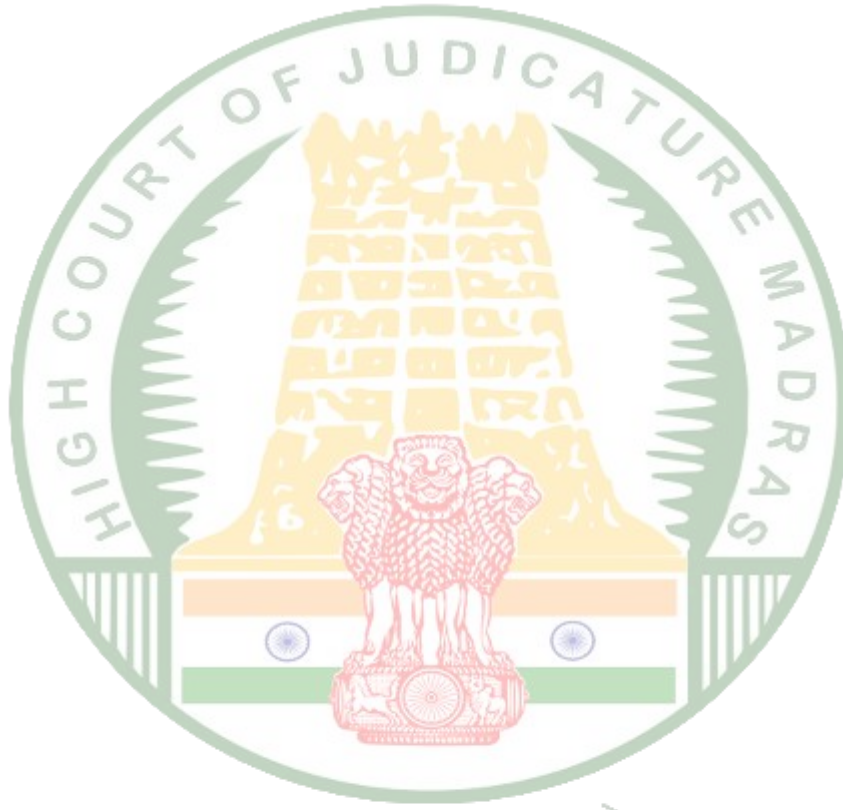
4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

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

CRL OP.7504/2020

Date :12/05/2020

RVR 26/06/2020



सत्यमेव जयते

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