

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.05.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.7518 of 2020

Logesh

...Petitioner/A3

-Vs-

The State rep. By
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District,
(Crime No.417 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail pending investigation in Crime No.417 of 2020 on the file of the respondent police.

For Petitioner : Mr.G.Balamanikandan

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

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 21.04.2020 for the offence punishable under Sections 341, 294 (b), 324, 394, 307 and 506 (ii) of I.P.C. in Crime No.417 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with three accused persons had committed decoity and assaulted the defacto complainant and his friend. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is not involved in the above alleged offence and he is no way connected with the offence as alleged by the prosecution and he did not commit any offence and the present case is nothing but put up case by the respondent for statistical purpose. Further he submits that the petitioner is in judicial custody from 21.04.2020. In fact, the so called defacto complainant was also discharged from the hospital on 21.04.2020 itself and hence, he seeks bail for the petitioner.

4. The learned Additional Public Prosecutor submitted that it is the case of chain snatching and also bad antecedents. He also submitted that there are three previous cases pending against the petitioners similar in nature. He further submitted that an earlier petition in Cr1.O.P.No.841 of 2020 was dismissed on 08.05.2020, on

the file of the District and Sessions Judge No.II, Kancheepuram and there is absolute no change of circumstances for re-consideration. Hence, he opposed for grant of bail to the petitioner.

5. It is seen that the petitioner along with three other persons have snatched the chain of the defacto complainant and also attacked him, therefore the defacto complainant sustained injuries and admitted in the hospital. The petitioner was a habitual offender with bad antecedents and involved in three other similar cases. 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 JUDICIAL MAGISTRATE,
SRIPERUMBUDUR

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI

4 THE INSPECTOR OF POLICE
SRIPERUMBUDUR POLICE STATION,
KANCHEEPURAM DISTRICT.

5 THE DISTRICT AND SESSIONS
JUDGE NO.II, KANCHEEPURAM

CC to G.BALAMANIKANDAN Advocate on payment of necessary charges

CRL OP.7518/2020

Date :12/05/2020

RVR 07/08/2020