

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.NO.7563 of 2020

Hari @ Harikrishnan

..... Petitioner/Accused

Vs.

State rep. by
Inspector of Police,
Pudhupettai Police Station,
Cuddalore District,
Crime No.317 of 2020

..... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in Crime No.317 of 2020 on the file of the Inspector of Police, Pudhupettai Police Station, Cuddalore District.

For Petitioner : Mr. Swami Subramanian

For Respondent : Mr.T.Shunmuga Rajewaran,
Government Advocate.

ORDER

Apprehending arrest for the offences punishable under sections 341, 294(b), 323, 365 and 506(i) IPC, in Crime No.317 of 2020, on the file of the respondent police, the petitioner has come forward with the petition seeking for Anticipatory Bail.

2. Briefly stated, according to the prosecution, on 18.04.2020, at about 11a.m., at the instance of the petitioner, the accused involved in the crime had kidnapped the victim who is the grandson of the defacto complainant and also threatened the defacto complainant with dire consequences and thereby committed the offences put forth against him. It is further stated that the incident involved in this case is a sequel to the double murder case concerned in Crime No.346 of 2020, on the file of the Panruti Police Station.

3. According to the petitioner's counsel, the petitioner is not involved in the alleged offences and has been falsely implicated in the case and it is further put forth that the victim had been rescued and the victim is involved in the murder case and the co-accused had been enlarged on bail and he is

ready to cooperate with the investigation and abide with any condition that may be imposed by this Court and accordingly, prayed for the appropriate relief.

4. Per contra, according to the learned Public Prosecutor, the offences alleged against the petitioner and the other accused are serious in nature and the investigation is still pending and further stated that the present incident is a follow up action to the double murder case and the petitioner is found to be the principal offender and also stated that three previous cases are pending against the petitioner and therefore, according to the learned Public Prosecutor, if the petitioner is granted pre-arrest bail, he may cause obstacles to the process of ongoing fair and proper investigation and also flee from justice and therefore, strongly opposed the relief sought for by the petitioner.

5. Considering the nature and gravity of the offences, the stage of the investigation, the petitioner being the principal offender and particularly when he is found to be involved in three other cases and the apprehension of the prosecution that the grant of pre-arrest bail in favour of the petitioner would cause obstacles to the process of fair and free investigation, not to be

easily discarded, in all, at this stage of the matter, I am not inclined to grant the relief sought for by the petitioner.

6. For the reasons aforesaid, the criminal original petition is dismissed.

14.05.2020

Index : Yes/No

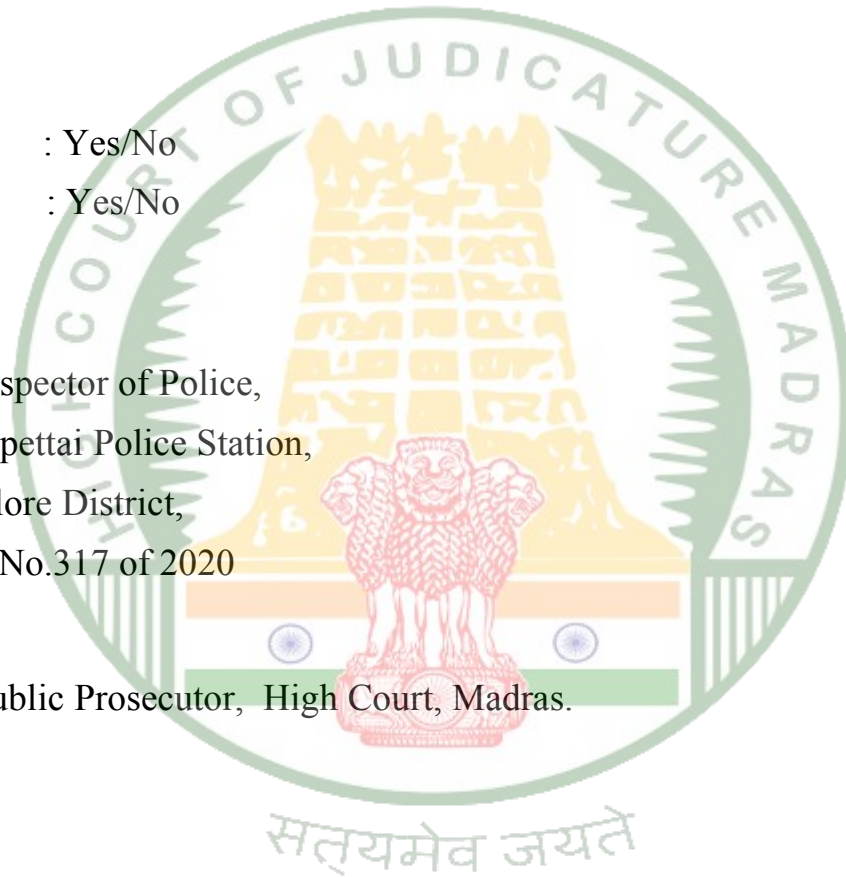
Internet : Yes/No

sli

To:

1. The Inspector of Police,
Pudhupettai Police Station,
Cuddalore District,
Crime No.317 of 2020

2. The Public Prosecutor, High Court, Madras.



WEB COPY

CRL.OP.NO.7563 of 2020

T.RAVINDRAN,J

sli



CRL.OP.No.7563 of 2020

WEB COPY

14.05.2020