

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P. No. 7796 of 2020

Mani @ Manikandan,
S/o. Ram Moorthy,
No.288, 15th Street,
N.S.K. Nagar, Arumbakkam,
Chennai 600 106.

.. Petitioner/ Accused

Vs.

The State rep. by its
The Inspector of Police,
K-3, Aminjikarrai Police Station,
Chennai.

[Crime No. 454 of 2020]

.. Respondent/ Complainant

Prayer: Criminal Original Petition filed for anticipatory bail under Section 438 of Criminal Procedure Code.

For Petitioner : Mr. S.V. Karthikeyan

For Respondent : Mr. M. Jothikumar
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for alleged offence punishable under Section 395 of I.P.C., in Crime No. 454 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that, on 18.04.2020, at about 01.30 a.m., when the de-facto complainant and his brother were sleeping in their house with the door opened, near the steps, one Karthick and others, at knife point, threatened the de-facto complainant and his brother and snatched their purse, Vivo cell phone and MI cell phone and escaped from the place of occurrence. Out of fear, the de-facto complainant and his brother did not raise any alarm. On complaint, a case has been registered under Section 395 of I.P.C.

3. The learned counsel appearing for the petitioner submitted that the petitioner is residing in the very same compound wherein the occurrence has taken place and the petitioner himself accompanied the residents for lodging complaint. The respondent Police has falsely implicated the petitioner in the

present case and prayed for granting anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is involved in another case of similar nature in Crime No. 455 of 2020 on the file of the respondent Police. This Court dismissed the Crl. O.P. No.7754 of 2020 filed by the petitioner, seeking anticipatory bail. Five accused were arrested and the petitioner and another accused are absconding. The investigation is pending and hence, opposed for granting anticipatory bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6. Considering the serious nature of offence, involvement of petitioner in another case, dismissal of Crl. O.P. No.7754 of 2020 and submissions of the learned counsel on either side, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

22.05.2020

Index : Yes / No

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To

1.The Inspector of Police,
K-3, Aminjikarrai Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.



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V.M.VELUMANI, J.,

gsa



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