

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

CrI. O.P. No. 7919 of 2020

M.Bharathi Mohan
S/o.Madavan,
Door No.47, Podur Village,
Penagaram Post & Taluk,
Dharmapuri District.

.. Petitioner / Sole Accused

Vs.

State by The Inspector of Police,
Anchetty Police Station,
Krishnagiri District.

.. Respondent / Complainant

[Crime No. 17 of 2020]

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

For Petitioner : Dr.G.Babu

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 Sections 392 and 397 of Indian Penal Code in Crime No.17 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that, the defacto complainant and his friends were going to visit Hogenakkal Falls. The petitioner and one Karthikeyan came in a two wheeler waylaid them informing that they are Police and demanded for documents. After verification of the documents, they demanded Rs.20,000/- from the defacto complainant and his friends. When the defacto complainant and others refused to give the said amount, the petitioner and other accused threatened the defacto complainant and others with knife and forcefully, have taken Rs.10,000/- from them. On complaint, case has been registered under Sections 392 and 397 of Indian Penal Code.

3.The learned counsel appearing for the petitioner submitted that petitioner is working as Havildhar in Hosur Police Station. There is enmity between the respondent Police and the petitioner and due to that, the petitioner has been falsely implicated in this case. The petitioner has not

committed any offence as alleged by the prosecution. The co-accused was arrested and enlarged on bail. The investigation is completed and prayed for granting anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner is a Police man and he has committed an offence of robbery and threatened the defacto complainant and others. The investigation is pending. If the petitioner is granted anticipatory bail, it is not possible to conduct fair investigation and prayed for dismissal of the petition.

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.Taking into consideration the fact that the petitioner is a Police man and alleged to have committed robbery and investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

28.05.2020

gsa/kj
Index : Yes / No



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To

1.The Inspector of Police,
Vengal Police Station,
Thiruvallur District.

2.The Public Prosecutor,
High Court, Madras.



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V.M.VELUMANI, J.,

gsa/kj



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