

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.06.2020

CORAM

THE HONOURABLE MR.JUSTICE. **M. NIRMAL KUMAR**

Crl. O.P. No.8897 of 2020

1. Mano @ Manohakaran (M/26),
S/o. Sankar ... Petitioner/A3
2. Aravindhan (M/24),
S/o. Vijayan ... Petitioner/A4
- Vs.
- The State Rep. by,
The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District.
(Crime No.1905 of 2020) ... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C, to enlarge the Petitioner on bail in Crime No.1905 of 2020 pending on the file of the respondent police.

For Petitioners : Mr. M. Sathyasai Eswari

For Respondent: Mr. Iyyappa Raj

Additional Public Prosecutor

ORDER

The Petitioners/A3 &A4, who were arrested and remanded to judicial custody on **23.05.2020** for the alleged offence punishable under

Section **392 and 397 of IPC** in **Crime No.1905 of 2020**, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.05.2020 the defacto complainant Dhanushkodi had lodged a complaint before the the respondent police stating that the petitioners along with other accused have abused him with filthy language and attempted to assault him and thereafter, they taken away a sum of Rs.10,000/- at knife point from the defacto complainant in a public place. Hence the complaint has been registered.

3. The learned counsel for the petitioners would submit that these petitioners are innocent and they have not been indulged in any offence and that they have been falsely implicated in this case. Since, the petitioners/A3 and A4 are being friends of A1 and A2, they have been falsely implicated in this case. Hence he seeks for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that these petitioners along with two other accused had been indulging themselves in similar nature of the offences. He would further submit that

these petitioners are habitual offenders and that they have got two previous cases. Further he would submit that on the date of occurrence, on the public road, by brandishing knife, the petitioners along with other accused had taken away cash of Rs.10,000/- from the Palm Candy vendor/defacto complainant who was selling his products on the road side. Hence, he vehemently opposed for the grant of bail to these petitioners.

5. Considering the facts and circumstances of the case and on perusal of materials placed, it is seen that the petitioners have robbed Rs.10,000/- from the vendor/defacto complainant by brandishing knife in a public place. It is also seen that these petitioners are habitual offenders, indulging in offences of similar nature. Therefore, this Court is not inclined to grant bail to these petitioners.

6. Accordingly, this Criminal Original Petition stands dismissed.

18.06.2020

Index: Yes/No

Internet: Yes/No

Speaking order/Non Speaking order

SSI

M. NIRMAL KUMAR, J.

SSI

To

1. The Judicial Magistrate No.II,
Ponneri.
2. The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District.
3. The Public Prosecutor,
High Court, Madras.
4. The Superintendent,
Sub-Jail, Thiruvallur.



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