

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.06.2020
CORAM

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

CrI. O.P. No. 9559 of 2020

1.Vimal
2.Selvam @ Nila
3.Babu

... Petitioners

-vs-

The State Represented by:-

The Inspector of Police,
Sunguvarchathiram Police Station,
Kancheepuram District.

... Respondent

PRAYER:- Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No. 561/2020 pending investigation on the file of the respondent.

For Petitioners : Mr. G. Balamanikandan

For Respondent : Mr. K. Prabakar
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The Petitioners, who were arrested and remanded to judicial custody on 20.05.2020 for the offence punishable under Sections 342, 307, 392 r/w 397 and 394 of the Indian Penal Code, 1860, in Crime No. 561 of 2020 on the file of the Respondent Police, seek bail.

2. The case of the prosecution as per the de-facto complainant, who is a lorry driver, is that on 18.05.2020, when he parked his lorry in Sunguvarchathiram, the Petitioners have brutally attacked him with knife and snatched away mobile phone and purse. The Petitioners were arrested and remanded to judicial custody on 20.05.2020.

3.The learned Counsel for the Petitioners would submit that the Petitioners are innocent and they have been falsely implicated in this case. He would further submit that even as per the F.I.R., it has been stated that the offence has been done only by two unidentified persons, whereas the Respondent has arrested the Petitioners.

4.The learned Additional Public Prosecutor would submit that the Petitioners are residents of Kancheepuram and when the de-facto complainant who is a driver has parked his lorry in Sunguvarchathiram

to take rest, the Petitioners have brutally attacked him with knife and robbed away mobile phone and Rs.3000/- from him. The injury sustained by the de-facto complainant has gone upto skull depth. He would further submit that the Respondent are taking steps to conduct test identification parade and if the accused are released on bail it will cause serious prejudice to the investigation. He would further submit that the accused are involved in three similar cases of committing robbery, and opposed for granting bail.

5. Taking into consideration of the facts and circumstances of this case and the manner in which the offence is committed, I am not inclined to grant bail to the Petitioners.

6. Hence, this Petition is dismissed.

-sd/-
26/06/2020

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,
SRIPERMBUDUR

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

3 THE ADDL. PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SUNGU VARCHATHIRAM POLICE STATION,
KANCHEEPURAM DISTRICT.

CC to M/S. G. BALAMANIKANDAN Advocate on payment of necessary charges

CRL OP.9559/2020

Date : 26/06/2020

rd 27/07/2020