

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 9699 of 2020

Devan

... Petitioner

Vs.

The State rep by
Sub-Inspector of Police,
Kannankurichi Police Station,
Salem City.
(Crime No.472/2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
in Crime No.472 of 2020 on the file of the respondent police.

For Petitioner : Ms.Rajeswari Karthikeyan

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

The petitioner who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 147,
148, 341, 294 (b), 342, 506 (ii) of IPC in Crime No.472 of 2020,
seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant
was working as a coolie in the construction field. On 07.05.2020,
when the defacto complainant and his brother along with his friends
were consuming liquor near Athukkadu E.B. Office, at about 02.00
p.m., the accused persons have unwantedly went there and quarrelled
with them. When the defacto complainant proceeding to go home, near
speed breaker, he was intercepted by unknown persons in a two wheeler
wearing helmets, and threatened to kill him and they have kidnapped
the defacto complainant for ransom, and thereafter, they have also
snatched his cell phone. Hence, the present complaint.

3. The learned counsel for the petitioner would submit that in
so far as the petitioner is concerned, he has nothing to do with the
accused persons, and he was no way connected with the occurrence. He
would further submit that on investigation, the accused persons A2 to
A4 were already arrested and thereafter released on bail. Hence, he
seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that all the accused persons A1 to A4 have kidnapped the defacto complainant for ransom and also threatened him with dire consequences. Fortunately, the defacto complainant escaped from the scene of occurrence and lodged a complaint and as such, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that there are four accused and all the accused persons have kidnapped the defacto complainant for ransom. Fortunately, the defacto complainant escaped from the scene of occurrence and lodged the complaint. The accused persons A2 to A4 were arrested and released on bail, thereby, they have committed serious offence. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner and hence, this Criminal Original Petition stands dismissed.

-sd/-
29/06/2020

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 SUB INSPECTOR OF POLICE,
KANNANKURICHI POLICE STATION,
SALEM CITY.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. RAJESWARI KARTHIKEYAN Advocate on payment of necessary charges

WEB COPY

CRL OP.9699/2020

Date :29/06/2020

cs 03/08/2020