

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.9991 of 2020

Samuboy @ Najeer

...Petitioner

-Vs-

The State represented by its
Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
(Crime No.779/2020)

... 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.779 of 2020 on the file of the respondent police.

For Petitioner : Mr.Om Sai Ram

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

ORDER

The petitioner who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 341, 294
(b), 307 of I.P.C. rea Sections 341, 294(b), 352, 392, 397, 506(2) of
IPC read with Section 5 and 7(3) of Lottery Act in Crime No. 779 of
2020, seeks anticipatory bail.

2. The case of the prosecution is that on 23.06.2020 at
about 11.00 a.m. when the defacto complainant was passing through
near Hero show room, North Thillainayagapuram, Chidambaram, the 1st
accused had forced him to purchase Kerala lottery tickets from him,
for which, the defacto complainant had refused to purchase the same,
resulting which, the 1st accused got wild and threatened and abused
him and also assaulted him and attempted to grab money from the
defacto complainant's pocket. Based on the confession statement of 1st
accused, the petitioner was implicated in this crime stating that
main accused had purchased lottery tickets and attempted to sell it
to the defacto complainant. Hence, the present complaint.

3. The learned counsel for the petitioner would submit that
the petitioner is an innocent person and he has not committed any
offence as alleged by the prosecution. Only on the confession
statement of the petitioner was implicated in the present case.

Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the accused persons have robbed money from the defacto complainant and as far as his antecedent is concerned, previously, he has involved in 13 criminal cases. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. At that time, the learned counsel appearing for petitioner seeks permission of this court to withdraw this petition. Recording his submission, this Criminal Original Petition is dismissed as withdrawn.

-sd/-
03/07/2020

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 NO.2,
CHIDAMBARAM.

2 THE INSPECTOR OF POLICE ,
CHIDAMBARAM TOWN POLICE STATION,
CUDDALORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. OM SAI RAM Advocate on payment of necessary charges

CRL OP.9991/2020

Date :03/07/2020

MN-RD-12/08/2020