

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.10663 of 2020

Naresh, M/A aged 20 years,
S/o. karthikeyan,
No.551/32,P.H.Road,
Arumbakkam,
Chennai-600 106.

... Petitioner

-Vs-

State Rep. by the Inspector of Police,
k-3,Aminjikarai Police Station,
Chennai.
(Crime No. 455 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 455 of 2020 pending on the file of the Respondent Police.

For Petitioner : Mr.A. Elumalai

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

ORDER

(The case has been heard through video conference)

The petitioner who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 395 of I.P.C., in Crime No.455 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 18.04.2020 at 2.00 a.m., while the defacto complainant and her family members were sleeping in the house, seven persons have trespassed into the house by breaking open the door and by threatening and attacking the inmates with deadly weapons and robbed seven sovereigns of gold. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor would submit that the petitioner along with other accused trespassed into the house of the defacto complainant during wee hours and by threatening the inmates and attacking them with deadly weapons robbed a gold chain and ring. The defacto complainant and family members raised alarm and the neighbours are surrounded and apprehended five of the accused red handedly. The present petitioner and yet another accused escaped from the scene of occurrence and the arrested accused are still in custody thereby opposed for granting of anticipatory bail.

5.Taking into consideration of the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

-sd/-

20/07/2020

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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
K-3, AMINJIKARAI POLICE STATION,
CHENNAI.

CC to M/S. A.ELUMALAI Advocate on payment of necessary charges

WEB COPY

CRL OP.10663/2020

Date :20/07/2020

RD 24/08/2020