

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.07.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.11154 of 2020

Mold Mohan @ Mohanraj  
S/o.Moorthy

... Petitioner

Vs.

State rep. By  
The Inspector of Police  
Saravanampatty Police Station  
Coimbatore City  
(In Crime No.1231 of 2020)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1231 of 2020, pending on the file of the Respondent Police.

For Petitioner : Mr.S.Mohamed Ansar

For Respondent : Mr.T.Shunmugarajeswaran  
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 06.06.2020 for the offences punishable under Section 392 and 397 IPC, in Crime No.1231 of 2020, seeks bail.

2.The case of the prosecution is that on 23-05-2020, at about 3.00 p.m., the accused persons robbed cell phones, cash and also gold jewels from the defacto complainant by showing knife.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and he never committed any offence as alleged and he is no way connected with the case and he is in judicial custody from 06-06-2020 and prayed to release the petitioner on bail.

4.The learned Government Advocate (Crl. Side) would submit that there are totally five accused in this case. The petitioner is A-1. A-2 arrested and remanded to judicial custody. A-3 to A-5 are still

absconding. It is further stated that the defacto complainant and his friend was staying in OYO lodge. On the date of occurrence, at around 3.00 p.m., all the accused persons had come to the lodge and had showed deadly weapon to all the persons staying in the lodge and also to the employees in the lodge and they had threatened them and robbed four cell phones, cash and also gold jewels. When others tried to catch the accused persons, they had fled away on showing the knife. He would further submit that except the present case, yet another case in Crime No.930/2018 has been registered by the Tiruppur Annupparpalayam Police Station. It is further stated that in this case, investigation is not yet completed, A-3 to A-5 are still absconding and in the said circumstances, if the petitioner is released on bail, he may try to escape from the home town and hence he opposes his bail petition.

5. Taking into consideration of the fact that the co-accused in this case are yet to be arrested and the Modus operandi that the petitioner fixes a place where illegal activities are happening and committing robbery and the antecedent, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed

-sd/-  
28/07/2020

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 PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,  
SARAVANAMPATTY POLICE STATION,  
COIMBATORE CITY.

3 THE SUPERINTENDENT,  
CENTRAL PRISON, COIMBATORE

CC to S.MOHAMED ANSAR Advocate on payment of necessary charges

CRL OP.11154/2020

Date :28/07/2020

RD 27/08/2020