

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.OP.No.11824 of 2020

S.Surya

... Petitioner

Vs.

The State rep.by,
The Inspector of Police,
Chemmancherry Police Station,
Chengalpattu District-600 119.
Crime No.684 of 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.684 of 2020 on the file of the respondent police.

For Petitioner : Mr. K. Mahalingam

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

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 324 and 506(ii) of IPC in Crime No.684 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant one Gowtham is that the petitioner along with other accused waylaid the defacto complainant. At that time the petitioner assaulted the defacto complainant with knife and caused injuries and the petitioner is a member of a gang. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is a innocent person and he has been falsely implicated in this case. He would further submit that the petitioner's name does not found in the F.I.R and the petitioner is not a member of a gang. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is a member of the gang and he waylaid the defacto complainant and attacked him with knife. He would further submit that the other arrested accused person was still in custody. Hence, he vehemently opposed for grant of Anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the above submission so made by the Additional Public Prosecutor and the co-accused is still in custody, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
05/08/2020

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-II,
ALANDUR, CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CHEMMANCHERY POLICE STATION,
CHENGALPATTU DISTRICT-600 119.

CC to M/S.K.MAGALINGAM Advocate on payment of necessary charges

CRL OP.11824/2020

Date :05/08/2020

TA-21/08/2020