

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2020

CORAM :

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

Crl.O.P.No.12259 of 2020

Amulraj @ Amul

... Petitioner

Vs.

State Rep. By:

The Inspector of Police
Peerkankaranai Police Station
Kanchipuram District
(Crime No.781 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.781 of 2020 pending on the file of the Respondent Police.

For Petitioner : Mr.A.Saranraj

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

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 07.06.2020 for the offences punishable under Section 294 (b), 341, 506(2) and 307 IPC, in Crime No.781 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant one Vijayapandi is that he is working under one Saravanan who is the supplier in a TASMAL Bar. The petitioner along with two other accused demanded liquor during the lockdown period. When the defacto complainant refused to provide the same, the petitioners have waylaid and assaulted the said Saravanan / victim indiscriminately with machetes, due to which, the victim's jaw has been dislocated.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner has nothing to do with the alleged offence.

4. The learned Government Advocate (Crl. Side) would submit that the accused is a notorious element and on 31.05.2020, during the lockdown period, the petitioner along with other two accused demanded liquor from the defacto complainant who is working under one Saravanan, who is running a TASMAL Bar. When the defacto complainant refused, the petitioner along with other accused assaulted the victim indiscriminately with machete, resulting in the said Saravanan sustaining serious injury in the jaw and his jaw was dislocated. Hence, he strongly oppose for the grant of bail to the petitioner stating that if the petitioner is enlarged on bail, he will not co-operate with the investigation and he may threaten the witnesses. He would further submit that this is the second bail application and the petitioner's bail application was dismissed very recently and there is no change of circumstances. he vehemently opposes for the grant of bail.

5. Taking into consideration of the facts and circumstances and also the submissions made by the learned Government Advocate (Crl. Side) that the bail application of the petitioner was very recently dismissed and there is no change of circumstances, this court is not inclined to grant bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-sd/-
14/08/2020

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 INSPECTOR OF POLICE,
PEERKANKARANAI POLICE STATION,
KANCHIPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

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

CRL OP.12259/2020

Date :14/08/2020