

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.08.2020

CORAM :

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

Crl.O.P.Nos.12099 & 12331 of 2020

1. M.Balaji ... Petitioner in Crl.O.P.No.12099 of 2020
2. K.Murugesan ... Petitioner in Crl.O.P.No.12331 of 2020

Vs.

State by

The Sub Inspector of Police,
J-12, Kanathur Police Station,
East Coast Road, Kanathur,
Kancheepuram District - 603 112.

Crime No.790 of 2020 ... Respondent in both Crl.O.P.Nos.

COMMON PRAYER: Criminal Original Petitions filed under Section 438 Cr.P.C., praying to enlarge the petitioners in Crl.O.P.Nos.12099 & 12331 of 2020 on bail in the event of their arrest in Crime No.790 of 2020 on the file of the respondent police.

In both Crl.O.P.Nos.

For Petitioners : Mr.P.Bharath

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

C O M M O N O R D E R

(These case has been heard through video conference)

The petitioners who apprehend arrest at the hands of the respondent police for the offences publishable under Sections U/s.342, 323, 387 & 506(i) of IPC, in Crime No. 790 of 2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that A1 and the defacto complainant are known to each other and the defacto complainant is a financially rich person. A1 and the other accused conspired and grabbed money from the defacto complainant. A1 under the guise of consuming liquor brought the defacto complainant to Muttukadu beach and A1 had already informed the other accused and the other accused demanded money and since no money was available with the defacto complainant, they had taken his car, snatched six sovereigns of chain, 2 I phone and 2 vivo phone and escaped. Hence the

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and that a false complaint has been given against them due to business rivalry and further submitted that the alleged offences is stated to have been committed on 25.07.2020 and the complaint was given on 31.07.2020 and that the petitioners are friend of A1 and prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor vehemently opposed the grant of anticipatory bail stating that A1 and the defacto complainant are known to each other. The defacto complainant is a rich man and in order to extract money from him, A1 and the other accused conspired and taken the defacto complainant to a resort at ECR and that they have assaulted him and taken his Car, snatched six sovereigns of chain, 2 I phone and 2 vivo phone and escaped and that A1 is still in custody. He would further submit that from 25.07.2020 to 27.07.2020, the defacto complainant was kept under the custody of the accused and he was able to escape only on 27.07.2020 and after that he gave the complaint to the respondent, based on which, C.S.R.No. 87 of 2020 was registered. Since the defacto complainant and A1 were friends, in order to verify the veracity of the allegations made in the complaint, preliminary enquiry was conducted and after confirming the truth the case was registered. He would submit that A1 is arrested and still in judicial custody.

5. Taking into consideration of the facts and circumstances, considering the submissions made by the learned counsels and the fact that A1 is still in custody and the petitioners have committed extortion, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petitions stand dismissed.

सत्यमेव जयते

-sd/-

24/08/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

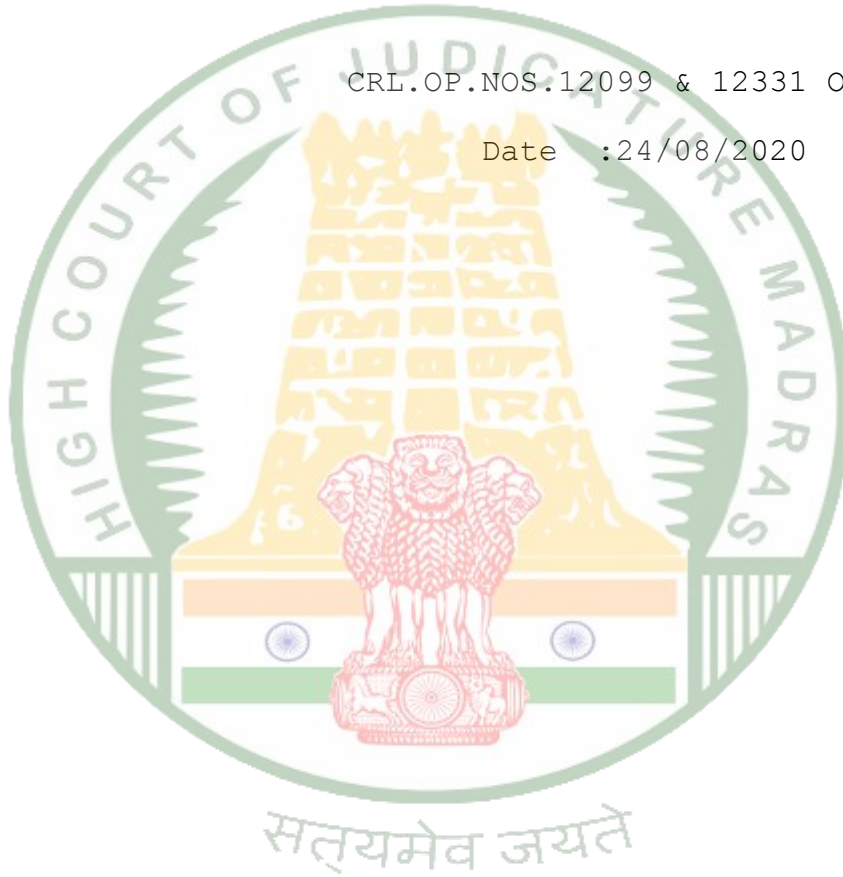
2 THE SUB-INSPECTOR OF POLICE,
J-12, KANATHUR POLICE STATION,
EAST COAST ROAD, KANATHUR,
KANCHEEPURAM DIST. 603 112

CC to M/S.P.BHARATH Advocate on payment of necessary
charges

CRL.OP.NOS.12099 & 12331 OF 2020

Date :24/08/2020

MK:08/09/2020



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