IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2020

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 12413 of 2020

Devan,
S/o. Velu,
No.187/1 Athukadu,
Gorimedu,
Kannankurichi,
Salem-8 ... Petitioner/Accused-5

Vs.

State rep by
The Sub Inspector of Police,
Kannakurichi Police Station,
Salem City,
(Crime No.472/2020) ... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to grant anticipatory bail in the event of arrest of the petitioner in Crime No.472/2020, pending on the file of the Sub Inspector of Police, Kannankurichi Police Station, Salem City.

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For Petitioner : Mr.A.Rajeswari Karthikeyan
For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

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The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 342, 307 & 506(ii) of IPC, in Crime No. No.472/2020, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was working as a coolie in the construction field. On 07.05.2020, when the defacto complainant and his brother along with his friends were consuming liquor near Athukkadu E.B.Office, at about 02.00p.m, the accused persons have unwantedly went there and quarrelled with them. When the defacto complainant proceeding to go home, near speed breaker, he was intercepted by unknown persons in a two wheeler wearing helmets, and threatened to kill him and they have kidnapped the defacto complainant for ransom, and therefore, they have also snatched his cell phone. Hence, the complaint.

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3. The learned counsel for the petitioner submitted that in so far as the petitioner is concerned, he has nothing to do with the accused persons and he was no way connected with the alleged offence. He would further submit that on investigation, the accused persons A2 to A4 were

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already arrested and thereafter released on bail. Hence, he seeks to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that all the accused persons A1 to A4 have kidnapped the defacto complainant for ransom and also threatened him with dire consequences. Fortunately, the defacto complainant escaped from the scene of occurrence and lodged a complaint. Further he submitted that three previous cases as against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and the fact that there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

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Index: Yes/No
Internet: Yes/No
vsn

G.K.ILANTHIRAIYAN, J

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vsn

To

1.The Sub Inspector of Police,
Kannakurichi Police Station,
Salem City,

2. The Public Prosecutor,
High Court of Madras.

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