

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 12517 of 2020

Chellamuthu

... Petitioner

Vs.

The State represented by,

The Inspector of Police,
Sendamangalam Police Station,
Namakkal District.

(Crime No.418 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C., to enlarge the petitioner on bail pending investigation in Crime No. 418 of 2020 on the file of the respondent police.

For Petitioner : Mr.T.Gobinath

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 30.06.2020 for the offences punishable under Sections **294(b), 447, 427, 506(ii) r/w.109 IPC** in Crime No. 418 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 22.06.2020, the petitioner along with other accused had trespassed the property of one Thiyarajan/defacto complainant and caused damaged to the motor room and also threatened the defacto complainant to sell his property to one Gopisankar who is the adjacent land owner. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner belongs to orthodox family and no way connected with the offence alleged by the respondent. He would submit that based on false complaint, the petitioner was arrested on 30.06.2020 and he is in custody. He would submit that all the other accused have been enlarged on bail and one of the accused has been granted anticipatory bail by the Court below.

4.Per contra, the learned Government Advocate (Crl.Side) would vehemently oppose the petition stating that the petitioner is history sheeted rowdy on the file of the respondent police and his history sheet number is 313 of 2005. He would submit that from the year 1981, the petitioner was involved in 36 cases registered by the Namakkal Police. He would submit that the petitioner has been threatening the witnesses and in most of the cases, he has been acquitted by the Trial Court. He would submit that there are other cases pending against him.

5.Taking into consideration the facts of the case and submission made by the learned counsel and that the petitioner is history sheeted rowdy involved in 36 previous cases, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
18/08/2020

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 NO.II,
NAMAKKAL.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SENDAMANGALAM POLICE STATION,
NAMAKKAL DISTRICT.

CC to M/S. T.GOBINATH Advocate on payment of necessary charges

CRL OP.12517/2020

Date :18/08/2020

MK:04/09/2020