

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.12675 of 2020

Kathiravan

... Petitioner

Vs.

State Rep by Inspector of Police,
R-7, K.K.Nagar Police Station,
K.K.Nagar,
Chennai.

... 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.820 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.Velmurugan

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

O R D E R

The petitioner who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
341, 392, 506(ii) of IPC, in Crime No.820 of 2020, seeks anticipatory
bail.

2. The case of the prosecution as per the defacto complainant is
that the petitioner and two others had restrained the defacto
complainant and her son Akash and threatened them for having sent to
them to prison and further abused and demanded money from the defacto
complainant. Further it was stated that she was robbed of Rs.1000/-
at knife point by the accused persons.

3. The learned counsel for the petitioner would submit that there
was previous enmity between the petitioner and the defacto
complainant's son Akash. Due to which, the previous case was filed
against the petitioner in Crime No.684 of 2020 and the petitioner was
earlier arrested and released on conditional bail in M.P.No.7724 of
2020, dated 29.06.2020. The learned counsel for the petitioner would
further submit that the petitioner is an innocent person and he has
not committed any offence as alleged by the prosecution. Therefore,
he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner earlier assaulted the defacto complainant's son Akash. In respect of which, a case in Crime No.684 of 2020 has been registered against him. The petitioner was arrested and thereafter, he released on conditional bail. Further, the defacto complainant has lodged a complaint that the petitioner had threatened them and also robbed Rs.1000/- at knife point. He would further submit that there are five previous cases pending as against the petitioner in

(i) R10, Cr.No.684 of 2020 for the offences under Section 341, 294(b), 523, 524 and 506(ii) IPC;

(ii) R7 Cr. No.1138 of 2013 for the offences under Section 294(b), 341, 324 and 506(ii) IPC;

(iii) R7 Cr. No.1598 of 2012 for the offence under Section 323 IPC;

(iv) R7, Cr. No.1489 of 2016 for the offence under Section 75 IPC; and

(v) R10, Cr. No.1679 of 2017 for the offences under Section 294(b), 341, 384 and 506(ii) IPC; later altered to Section 147, 148, 294(b), 341, 385, 506(ii) IPC. He would further submit that the petitioner is A1 and A3 has been arrested and he is still in custody. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into the consideration of the facts and the submissions made by the learned Additional Public Prosecutor and also the fact that there are five previous cases as against the petitioner and he has got bad antecedents and the arrested accused (A3) is still in custody, this Court is not inclined to grant bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-sd/-

01/09/2020

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,
SAIDAPET.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

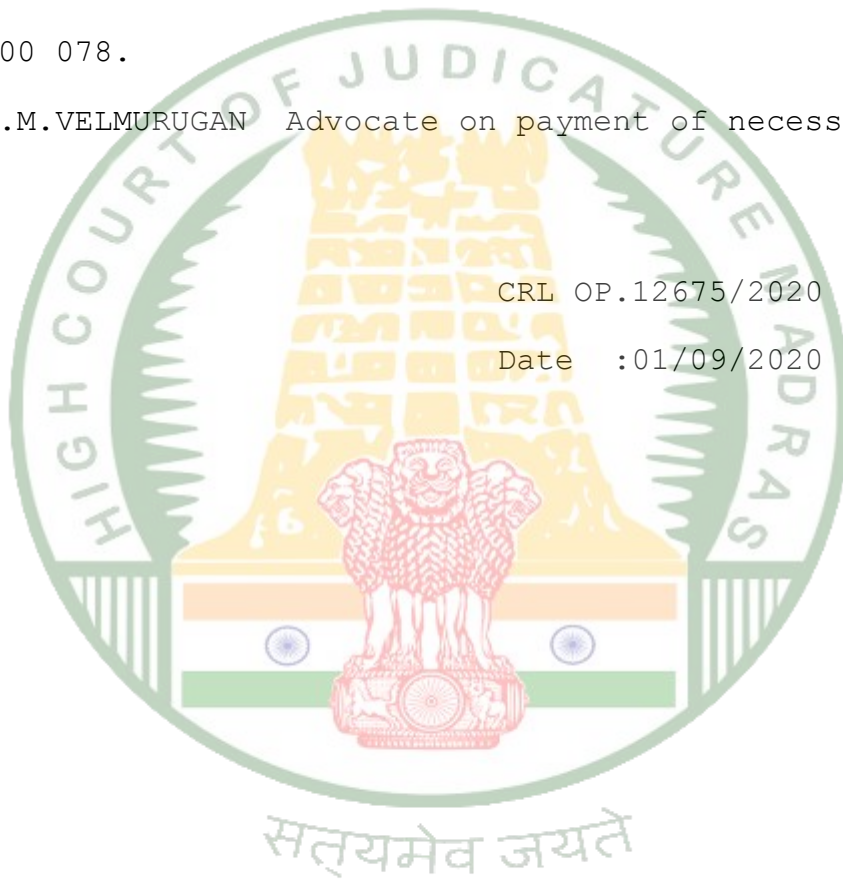
3 THE INSPECTOR OF POLICE,
R.7 K.K NAGAR POLICE STATION,
CHENNAI.
TAMIL NADU - 600 078.

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

CRL OP.12675/2020

Date :01/09/2020

cs 18/09/2020



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