

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 13069 of 2020

S.Azhaguraja

... Petitioner/Sole Accused

Vs.

The State represented by, ... Respondent/Complainant

The Inspector of Police,

D-4, Zam Bazaar Police Station,

Chennai.

Crime No. 451 of 2020.

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No. 451 of 2020, on the file of the Inspector of Police, D-4, Zam Bazaar Police Station, Chennai.

For Petitioner : Mr.R.Sami

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 27.07.2020 for the offences punishable under Sections 294 (b), 341, 324, 397 and 506(ii) of IPC in Crime No.451 of 2020 on the file of the respondent police, seeks bail.

2 The case of the prosecution as per the defacto complainant viz., Murugan, is that on 27.07.2020, the petitioner has abused him in filthy language and attacked him with knife and robbed an amount of Rs.4,000/- and thereafter threatened him. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case since, he happens to be the son of Thottam Sekar, who is a political functionary. He would submit that the petitioner was arrested on 26.07.2020 and that he was kept in illegal custody and thereafter, based on a false case he was remanded to Judicial Custody. He would submit that the petitioner is aged about 21 years.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is aged about 19 years and that he is a notorious offender and has involved in six previous cases viz.,

1) Cr.No.3/18, U/s. 294(b), 323, 506(ii) of IPC of WHA Act.

2) Cr.No.9/18, U/s.147, 148, 307 IPC.

3) Cr.No.31/18, U/s.341, 323, 294(b), 336, 427, 392, 397, 506(ii) of IPC.

4) Cr.No.89/19 U/s.147, 148 of IPC 25(1)(A) Arms Act r/w 3 of Explosion Act.

5) Cr.No. 31/20, U/s. 294(b), 341, 323, 448, 506(ii) of IPC.

6) Cr.No.122/2020, U/s.294(b), 323, 324, 427, 307, 506(ii) of IPC.

He would further submit that the investigation is pending and that the petitioner has been arrested very recently on 26.07.2020. Hence, he vehemently opposed to grant bail to the petitioner.

5 Taking into consideration the facts and submissions made by the learned counsel, the petitioner is involved in six previous cases and that the petitioner was arrested very recently, this Court is not inclined to grant bail for the present. Hence, this Criminal original Petition Stands dismissed for the present.

-sd/-

04/09/2020

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 II METROPOLITAN MAGISTRATE, EGMORE,
CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
D-4, ZAM BAZZAR POLICE STATION,
CHENNAI.

5 THE OFFICER INCHARGE,
SUB JAIL, SAIDAPET.

CC to M/S.R.SAMI Advocate on payment of necessary charges
CRL OP.13069/2020

Date :04/09/2020