

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2020

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

Crl OP.No.13059 of 2020

Hari @ Harikrishnan
S/o. Chakkaravarthy

...Petitioner

Vs.

The State represented by
The Inspector of Police
Pudhupettai Police Station
Cuddalore District
Crime No.317 of 2020

...Respondent

Prayer:

Criminal Original Petition filed under Section 438 of Cr.P.C. praying to enlarge the petitioner on bail in the event of his arrest in Crime No.317 of 2020 on the file of the Inspector of Police, Pudhupettai Police Station, Cuddalore district.

For Petitioner : Mr. Swami Subramanian

For Respondent : Ms. M. Prabhavathi
Additional Public Prosecutor

ORDER

Apprehending arrest for the offences punishable under Sections 341, 294(b), 323, 365 and 506(i) IPC in Crime No.317 of 2020 on the file of the respondent police, the petitioner has come forward with this petition seeking for Anticipatory Bail.

2. This is the third Anticipatory Bail Petition preferred by the petitioner.

3. This court, considering the submissions put forth by the petitioner as well as the respondent police and further noticing the nature and gravity of the offences, the stage of the investigation, the petitioner being the principal offender and also further noting that the petitioner is involved in three other cases and the apprehension of the prosecution that the grant of pre-arrest bail in favour of the petitioner would cause obstacles and hindrance to the process of free and fair investigation not to be easily ignored, in all, proceeded to dismiss the earlier Anticipatory Bail petition preferred by the petitioner.

4. Now according to the petitioner, some of the accused involved in this crime had been released on bail and he is ready to cooperate with the investigation and therefore, prays for grant of pre-arrest bail.

5. Per contra, it is put forth by the Additional Public Prosecutor that the offences levelled against the petitioner are serious in nature and the investigation is not yet completed and also put forth that the petitioner is the principal offender and also three other cases, which are serious in nature, are pending against the petitioner and therefore, submitted that if the petitioner is granted pre-arrest bail, he would flee from the process of free and fair investigation and also would cause hindrance to the same and in such view of the matter, strongly opposed to the relief sought for by the petitioner.

6. The offences levelled against the petitioner are serious in nature. It is further noted that the petitioner is involved in three other cases, which are serious in nature. Further it is seen that the petitioner is the principal offender involved in the crime and the investigation is also not yet

completed. In the abovesaid background, if the petitioner is granted pre-arrest bail, as rightly contended by the Additional Public Prosecutor, there is a possibility of the petitioner absconding from the clutches of law and causing hindrance to the process of free and fair investigation. The abovesaid apprehension of the prosecution is not to be easily ignored and merely because some of the accused involved in the crime had been granted bail, *ipso facto*, would not entitle the petitioner to seek the pre-arrest bail. In all, I am not inclined to grant the relief sought for by the petitioner. In conclusion, the Criminal Original Petition is dismissed.

05.11.2020

Index : Yes/No
Internet: Yes/No
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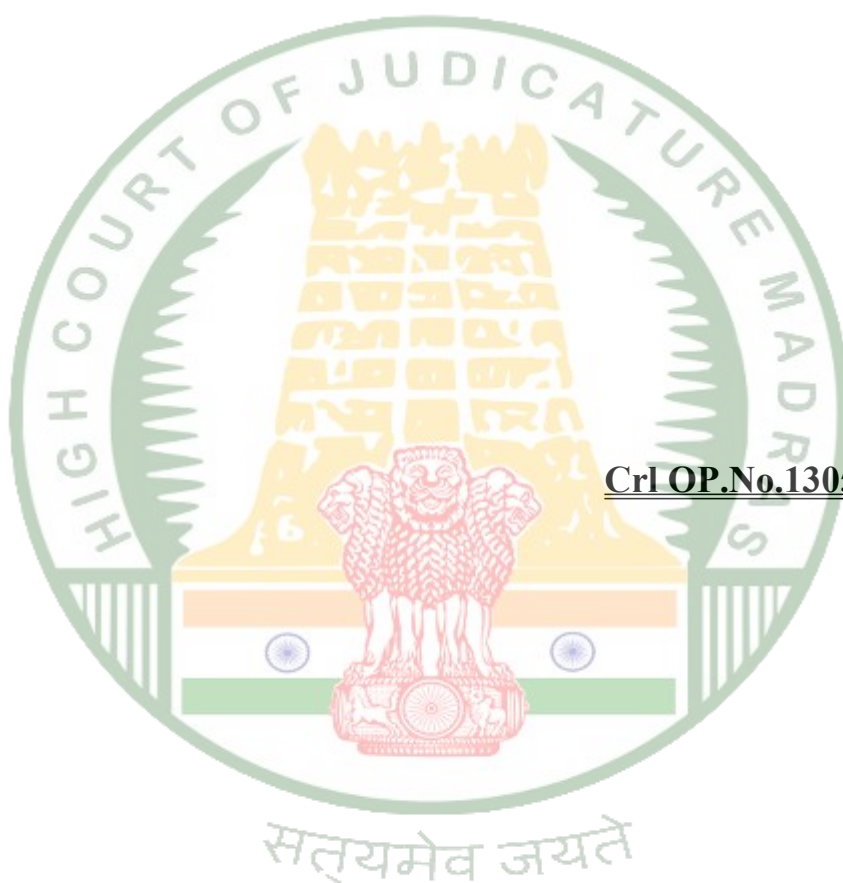
1. The State represented by
The Inspector of Police
Pudhupettai Police Station
Cuddalore District
Crime No.317 of 2020
2. The Public Prosecutor, High Court, Madras.

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T. RAVINDRAN, J.

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