IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.13209 of 2020

KADHU DINESH @ DINESH ... petitioner

Vs.

State By
Inspector of Police
T6-Avadi Police Station
Chennai
(Crime No.916 of 2020) ... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioners on bail in Crime No.916 of 2020 on the file of the Inspector of Police, T6-Avadi Police Station, Chennai.

For Petitioners: Mr.S.Sasikumar

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 were arrested and remanded to judicial custody on 18.07.2020 for the offences punishable under Section 341, 294(b), 307, 506(II) IPC. in Crime No.916 of 2020, seeks bail.

2.The case of the prosecution as per the defacto complainant one Kamaraj is that on 17.07.2020 at 11.45 hours, the petitioner along with other accused abused the defacto complainant in filthy language and also assaulted him with knife and wooden log and when the victim had fallen down, the accused also kicked him in the face.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that this Court has granted bail to the co-accused in this case in Crl.O.P.No.12085 of 2020 vide order dated 19.08.2020.

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4.The learned Government Advocate (Crl. Side) would vehemently oppose for grant of bail, stating that the petitioner is a habitual offender and is having three previous cases registered for the same offence and pending trial. He would further submit that the co-accused who was released on bail was assaulted by the defacto complainant and a counter case has been registered now. He would further submit that tension prevails in the Village.

5.Taking into consideration of the fact and also the submissions made by the learned Government Advocate (Crl. Side) and habitants of the petitioner and also the fact that the petitioner is a habitual offender and there are three previous cases pending against him for the similar offence, this Court is not inclined to grant bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-
28/08/2020

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 SUPERINTENDENT,
CENTRAL PRISON,PUZHAL, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
T6-AVADI POLICE STATION,
CHENNAI.

CC to S.SASIKUMAR Advocate on payment of necessary charges

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CRL OP.13209/2020

Date :28/08/2020

RVR 08/09/2020

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