

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.09.2020

CORAM :

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

Crl.O.P.No.13342 of 2020

Vicky @ Vignesh

... Petitioner

- Vs -

State rep. By
The Inspector of Police,
R3 Ashok Nagar Police Station,
Chennai.
(Crime No.111 of 2018)

.... Respondent

Prayer: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code, to enlarge the petitioner on bail in the event of his arrest in Crime No.111 of 2018 on the file of the respondent police.

For Petitioner : Mr.K.Jayachandran

For Respondent : Mr.Mohammed Riyaz
Addl. Public Prosecutor (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 392, 336, 427, 397 and 506(ii) of IPC, in Crime No.111 of 2018, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 17.02.2018 around 9.00 AM while the defacto complainant was in his shop, the petitioner and other accused persons have come in motor cycle and demanded money from him. When he refused to give the money, they have assaulted him with knife. Hence, the complaint.

3. The learned counsel for the petitioner would 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. He would further submit that as seen from the FIR, a case has been registered against the petitioner for the purpose of invoking Act 14.

4. The learned Additional Public Prosecutor would submit that one previous case is pending as against the petitioner and this is the 4th application for anticipatory bail and the petitioner had earlier approached this Court thrice. Earlier in Application No.21554 of 2019 was dismissed on 21.09.2019 before the Court below and thereafter, the petitioner had approached this Court with very same counsel in Crl. OP.No.2695 of 2019 and the same was also dismissed on 07.02.2020. Once again, the petitioner had approached this Court in Crl.OP.No.6306 of 2020 through a different counsel by name Mrs.Indumathi and that petition was also dismissed by this Court on 20.03.2020. Suppressing all these facts, the petitioner has filed this petition. Further he would submit that investigation has been completed and final report has also been filed before XXIII Metropolitan Magistrate, Saidapet and the case has been taken on file in CC. No.99 of 2018 and the petitioner is evading service of summons on him. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Mr.Ruban, Assistant Commissioner, is present before this Court and he would submit that this is the first application for anticipatory bail and the petitioner has not filed any application earlier for anticipatory bail.

6.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 the petitioner had suppressed the earlier dismissals and attempted to play fraud on the Court, this Court is not inclined to grant bail to the petitioner.

7.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

WEB COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE
NO.XVII, SAIDAPET, CHENNAI.

2 THE METROPOLITAN MAGISTRATE
XXIII, SAIDAPET.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

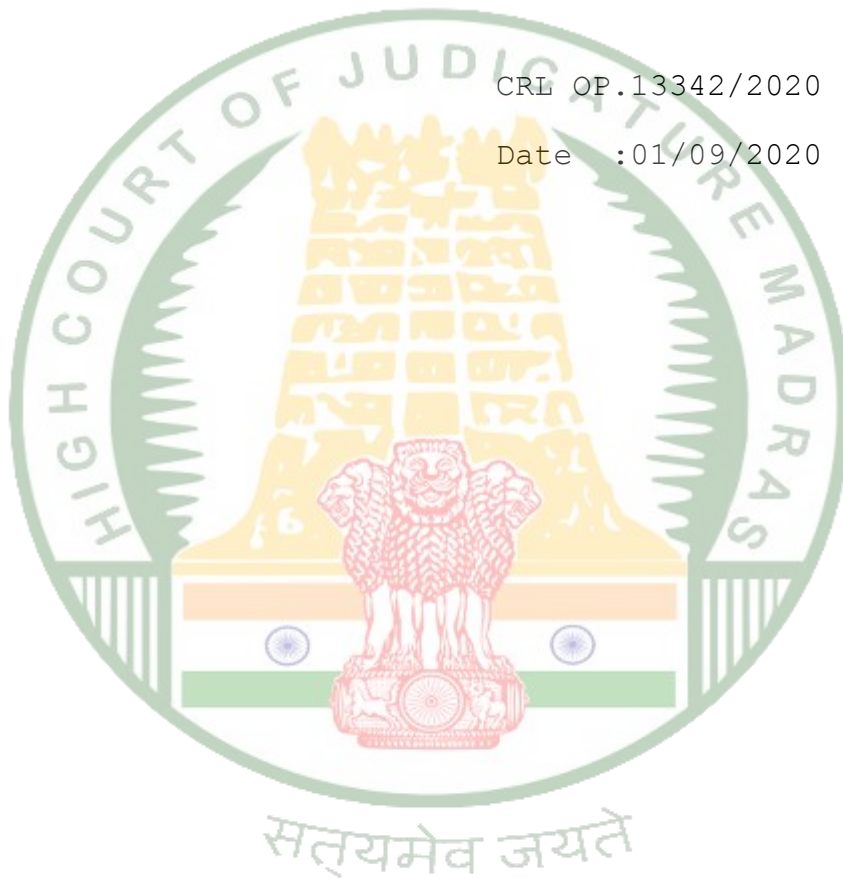
4 THE INSPECTOR OF POLICE,
R3, ASHOK NAGAR POLICE STATION,
CHENNAI DISTRICT.

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

CRL OP.13342/2020

Date :01/09/2020

cs 16/09/2020



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