

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2020

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Cr1.O.P.No.13532 of 2020

Sirajuddin, M/A-28
S/o.Samsudeen
No.77/1, New Fernaece Road
Dhasamakan
Chennai-600 112.

... Petitioner

Vs.

The State by
The Inspector of Police
G-1 Vepery Police Station
Chennai
Cr.No.1200 of 2020

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1200 of 2020 on the file of the respondent police.

For Petitioner : Mr.N.Naresh

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

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 alleged offence under Section 394 r/w 397 IPC of IPC, in Crime No.1200 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Lakshmanan is that on 01.08.2020, while he was walking along with Ritherdon Road by watching cellphone message, two persons came in a motor cycle and attempted to snatch his mobile phone. When he refused to hand over the mobile phone, a person who was a pillion rider inflicted injuries with knife on the head of the de-facto complainant and thereafter, they snatched the phone and escaped from the scene of occurrence. Due to the said attack, the de-facto complainant sustained 12 stitches on the head.

3. The learned counsel for the petitioner would submit the petitioner is innocent and that A1 in this case has been arrested and later, he has been enlarged on bail. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed this petition stating it is a case where the petitioners inflicted serious injuries on the head of the de-facto complainant and snatched his phone and thereafter, they have escaped from the scene of occurrence. He would further submit that the presence of the petitioner is very much required to conduct identification parade and to find out whether the petitioner is involved in any other cases registered by the city police.

5. At this juncture, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition. When this Court had specifically told that there are injuries, the learned counsel for the petitioner insisted for granting anticipatory bail.

6. Taking into consideration the facts and circumstances of the case and the nature of the injuries sustained by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

03/09/2020

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.

सत्यमेव जयते

TO

1 THE INSPECTOR OF POLICE,
G1-VEPERY POLICE STATION,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.13532/2020

Date :03/09/2020