

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Cr1.O.P.No.13747 of 2020

1. Senthamizh selvan
2. Rafeeq Ahmed
3. Baskar

... Petitioners

Vs.

The State Represented by,
The Sub Inspector of Police,
Sipcot Police Station,
Vellore District.
(Cr.No.553 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of their arrest in Connection with the Crime No.553 of 2020 pending on the file of the respondent police.

For Petitioners : Mr.C.M.Sankar

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

ORDER

(This case has been heard through video conference)

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 294 (b), 447, 427 and 506 (i) of IPC and Section 3 of Tamil Nadu Property Prevention of Damage and Loss Act, 1992, in Crime No.553 of 2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that when he was working at Phase III, Nellikuppam, Sipcot, Ranipet, the accused came to the site and threatened him that no one else should construct in that area and they caused damages to the construction shed and also caused damages to the borewell and they have also taken away cement, steel and other construction materials worth about Rs.2,20,000/-. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against them. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners threatened and intimidated the defacto complainant who was working in the construction site saying that no one else should construct in that area. He would further submit that they caused damages to the shed and they have also removed the construction materials, worth about Rs.2,00,000/- . The arrested accused is still in custody. However, he opposed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the intervenor would submit that the petitioners are in the habit of causing trouble to contractors in the industrial estate and they used to threaten and intimidate that no one else should do the construction work in the industrial estate and thereby caused damages to the construction and had taken away construction materials worth about Rs.2,20,000/-.

6. Taking into consideration the facts and submissions of the learned Counsel and also the fact that the arrested accused is still in custody, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/09/2020

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 JUDICIAL MAGISTRATE,
RANIPET

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUB INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
VELLORE DISTRICT.

CC to M/S. G.M.SANKAR Advocate on payment of necessary charges

CRL OP.13747/2020

Date :24/09/2020

RVR 07/10/2020