

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Crl.O.P.No.14290 of 2020

1.Karthick @ Vellai Karthick
2.Vinoth @ Thothu Vinoth
3.Kuppa @ Kuppusamy

... Petitioners

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police
M-4, Redhills Police Station
Chennai
(Crime No.3737 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C., to enlarge the petitioners on bail pending investigation in Crime No.3737 of 2020 on the file of the respondent police.

For Petitioners : Mr.M.Illiyas

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

The petitioners, who were arrested and remanded to the Judicial Custody on 07.08.2020, for the offences punishable under Section 397 IPC, in Crime No.3737 of 2020, on the file of the respondent police seek bail.

2.The case of the prosecution as per the defacto complainant one Venkatesan is that he is a lorry driver and on 05.08.2020 at an early hours of 2.45 a.m. the accused have knocked the door of the defacto complainant and when they have refused to open the door, the accused who could be identified, pushed the door and entered into the house and threatened the family members of the defacto complainant and robbed of 7 ¾ sovereigns of gold jewels and also their mobile phones.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 07.08.2020.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the petitioners are notorious elements and in the night hours, they have entered the house of the defacto complainant by breaking the door open and had committed a robbery of 7 ¾ sovereigns of gold jewels worth Rs.58,500/- and three mobile phones. He would further submit that as far as the 1st petitioner is concerned, he has got five previous cases, as far as the 2nd petitioner is concerned, he has got 11 previous cases and as far as the 3rd petitioner is concerned he has got 3 previous cases of similar nature. He would further submit that the test identification parade in respect of the petitioners have to be conducted since the complainant has stated that he can identify the persons. He would also submit that the petitioners were very recently arrested on 07.08.2020 and the investigation is pending.

5.Taking into consideration of the facts and submissions so made by the learned Government Advocate (Crl. Side) and also considering the fact that the petitioners are notorious elements and they have got several previous cases of the similar nature and they have been very recently arrested ie. only on 07.08.2020 and that the identification parade has not been conducted so far, this Court is not inclined to grant bail to the petitioners.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-
14/09/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

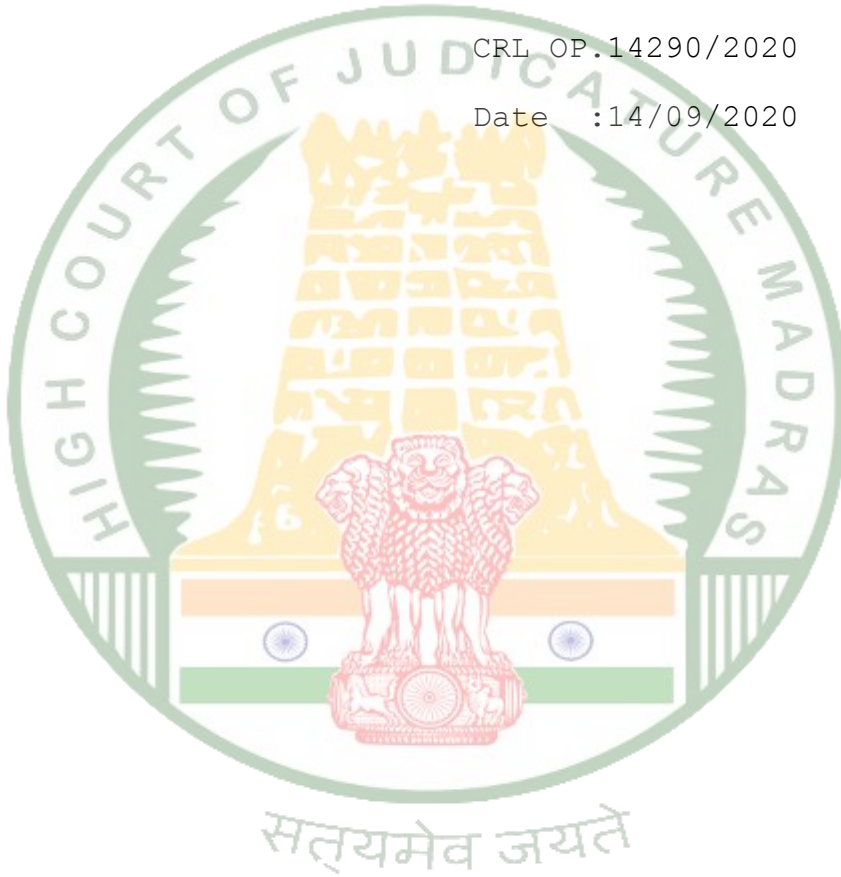
2 THE INSPECTOR OF POLICE,
M-4, REDHILLS POLICE STATION,
CHENNAI.

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

CRL OP.14290/2020

Date :14/09/2020

MK:23/09/2020



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