

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.14291 of 2020

Vijay @ Poi Vijay

... Petitioner

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police
M-5, Ennore Police Station
Chennai
(Crime No.1096 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C., to enlarge the petitioner on bail pending investigation in Crime No.1096 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.Illiyas

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

The petitioner, who was arrested and remanded to the Judicial Custody on 01.06.2020, for the offences punishable under Section 341, 294(b), 307, 506(ii) IPC, in Crime No.1096 of 2020, on the file of the respondent police seeks bail.

2.The case of the prosecution as per the defacto complainant one Sanjay is that on 31.05.2020, due to previous enmity and wordy quarrel, the petitioner along with another accused abused the defacto complainant and assaulted him with knife over the head and that the victim was discharged only after three days.

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 the petitioner is in judicial custody from 01.06.2020.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the petitioner is a notorious element and he has got eight previous cases of similar nature against him as follows:

1. Cr.No.1565/2017, M5 Police Station, u/s.341, 294(b), 307 IPC.
2. Cr.No.1568/2018, M5 Police Station, u/s.341, 294(b), 336, 427, 392, 397, 506(ii) IPC.
3. Cr.No.879/2018, M5 Police Station, u/s.341, 294(b), 336, 427, 392, 392, 506 (ii) IPC.
4. Cr.No.233/2018, M5 Police Station, u/s.341, 294(b), 397, 506 (ii) IPC.
5. Cr.No.596/2018, M5 Police Station, u/s.341, 294(b), 336, 427, 392, 397, 506 (ii) IPC.
6. Cr.No.905/2018, M5 Police Station, u/s.341, 294(b), 336, 427, 392, 397, 506 (ii) IPC.
7. Cr.No.1041/2018, M5 Police Station, u/s.341, 294(b), 323, 506(ii) IPC r/w 4 of TNPHW Act.
8. Cr.No.451/2019, H5 Police Station, u/s.341, 294(b), 323, 307, 506 (ii) IPC.

5.Taking into consideration of the submissions so made by the learned Government Advocate (Crl. Side) and also considering the fact that the petitioner is a notorious element and he has got eight previous cases to his credit and also considering the fact that the investigation is still in progress, this court is not inclined to grant bail to the petitioner.

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

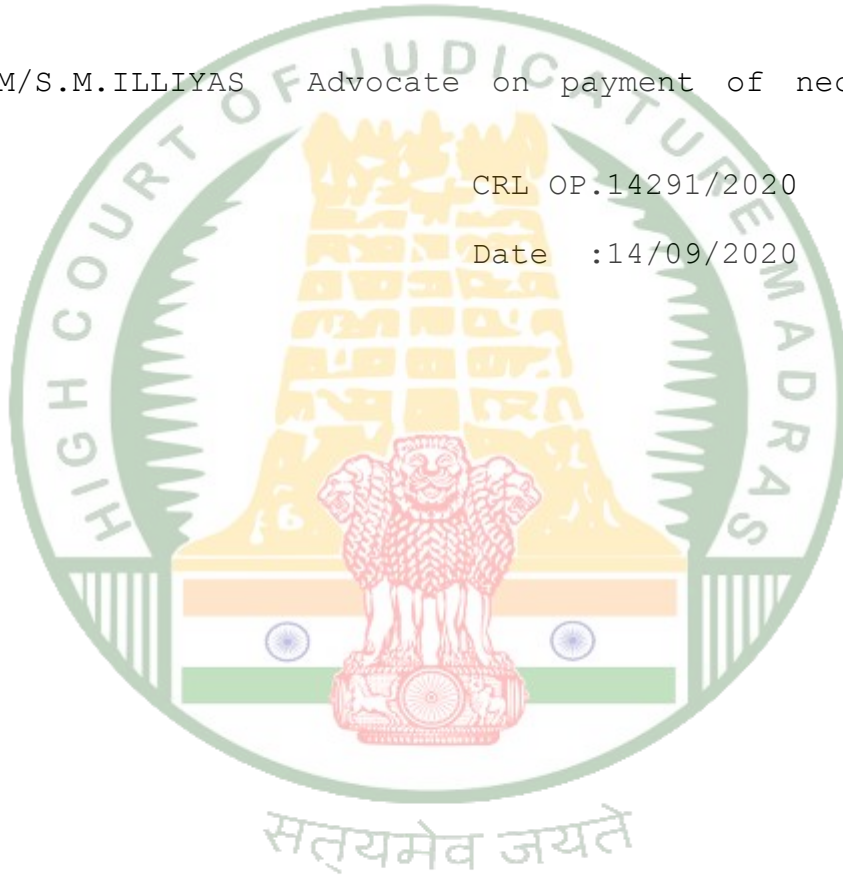
3 THE INSPECTOR OF POLICE,
M-5 ENNORE POLICE STATION,
CHENNAI.

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

CRL OP.14291/2020

Date :14/09/2020

MK:23/09/2020



WEB COPY