

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

CRL.O.P.No.14155 of 2020

Vigneshwaran

... Petitioner

Vs.

State Rep, by

The Inspector of Police,
E-2, Royapettah Police Station,
Chennai

(Crime No.1496 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.1496 of 2020 on the file of the respondent police.

For Petitioner : Mr.S.Krishnamoorthy

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 08.08.2020, for the offences punishable under Section 170 and 393 IPC, in Crime No.1496 of 2020, on the file of the respondent police seeks bail.

2.The case of the prosecution as per the defacto complainant viz., Sagul Hameed is that on 08.08.2020 when he had gone to deposit amount in the ATM as per the direction of his Employer, three persons came in a two wheeler bearing Reg.No.TN CT 0065 Dio had dashed against him and when he had fallen down, the persons claiming themselves to be police had attempted to snatch the cash bag from the defacto complainant, since the public around came to the rescue, the petitioners escaped from the place of occurrence, dropping one of their LAVA cell phones at that place while escaping.

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 custody from 09.08.2020.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that it is a pre-planned daylight occurrence. He would further submit that the petitioner along with other accused had kept watch over the defacto complainant who used to deposit money on behalf of his Employer and they have dashed against the two wheeler of the defacto complainant and when the defacto complainant fell down, the petitioner along with other accused have attempted to snatch the cash bag from him. He would further submit that when the people around them gathered to rescue the complainant, they ran away from the scene of occurrence leaving one cell phone, based on which, the petitioner was arrested. He would further submit as per F.I.R. the accused are unknown and hence identification parade has to be conducted to identify the accused and two other accused in this case are yet to be arrested and the investigation is in initial stage and the petitioner was arrested only on 09.08.2020, he vehemently opposes for the grant of bail to the petitioner.

5.Taking into consideration of the fact that the identification parade to be conducted to identify the accused and also considering the fact that the other accused who has been arrested in this case is a notorious element, against whom there are five previous cases and two other accused are yet to be arrested and also considering the fact that the petitioner was very recently arrested on 09.08.2020 and the investigation is in initial stage, this Court is not inclined to grant bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-

15/09/2020

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

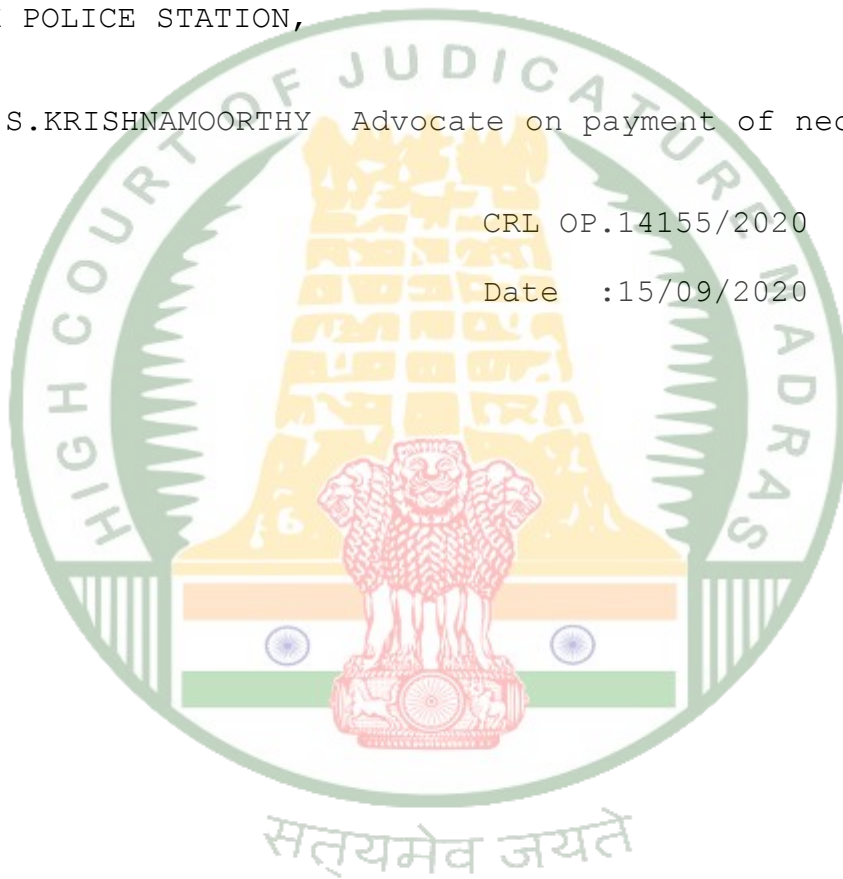
3 THE INSPECTOR OF POLICE,
E-2, ROYAPETTAH POLICE STATION,
CHENNAI.

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

CRL OP.14155/2020

Date :15/09/2020

MK:22/09/2020



WEB COPY