

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.09.2020

CORAM :

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.14430 of 2020

P.Manimaran

... Petitioner

Vs.

The State Rep by its
The Inspector of Police,
Kavarapettai Police Station,
Kavarapettai, Thiruvallur District.
Crime No.1029 of 2020 ... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.1029 of 2020 on the file of the respondent police.

For Petitioner : Mr.K.Saravanan

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 offences publishable under Sections 392 of I.P.C., in Crime No.1029 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 06.06.2020 the petitioner had robbed the defacto complainant's mobile phone and a silver chain by threatening the defacto complainant with knife. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case on the confession of the arrested accused. He would submit that the arrested accused persons were enlarged on bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would vehemently opposed by stating that the petitioner had committed the theft of mobile phone and a silver chain by threatening the defacto complainant with knife. He would further submit that the part of the amount has been recovered from the other accused persons and that the balance amount has to be recovered from the petitioner. He would submit that there are four previous case as against the petitioner for the similar offence and the details are given below:

1. E3 Minjur P.S - Cr.No.460 of 2019 - 393 of I.P.C.
2. E5 Sholapuram P.S. - Cr.No.782 of 2016 - 380 of I.P.C.
3. E5 Sholapuram P.S. - Cr.No.243 of 2014-457, 380 of I.P.C.
4. E5 Sholapuram P.S. - Cr.No.375 of 2012 - 392 of I.P.C

However, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and the petitioner has four previous cases and that the remaining amount has to be recovered from the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. With the above observation, this Criminal Original Petition is dismissed.

-sd/-
16/09/2020

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, GUMMIDIPOONDI

2 THE PUBLIC PROSECUTOR, HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
KAVARAPETTAI POLICE STATION,
KAVARAPETTAI, THIRUVALLUR DISTRICT.

+1 CC to M/S. K.SARAVANAN Advocate on payment of necessary charges SR.NO.6322

CRL OP.14430/2020
Date :16/09/2020

GKS:23/09/2020