

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.09.2020

CORAM :

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

Crl.O.P.No.14988 of 2020

M.Kishore

... Petitioner

Vs.

The State Rep. By
Inspector of Police,
Karamadai Police Station,
Coimbatore District.
(Crime No.132 of 2019)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.132 of 2019 on the file of the Inspector of Police, Karamadai Police Station, Coimbatore District.

For Petitioner : Ms.S.Suryakala

For Respondent : Ms.S.Thankira
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 03.04.2020 for the offences punishable under Section 392 IPC in Crime No.132 of 2019, seeks bail.

2.The case of the prosecution as per the defacto complainant Uma Mahaeswari is that on 02.05.2019, while she was going for a walk around 7 a.m., two unknown persons, who had come in a motor cycle had snatched her THALI chain.

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 this is the second bail application and the earlier bail application was dismissed by this Court vide order dated 21.08.2020 in Crl.O.P.No.12781 of 2020. He would further submit that the petitioner was arrested on 03.04.2020 and he is in custody for the past five months.

4.Per contra, the learned Government Advocate (Crl. Side) would submit that the petitioner is a habitual offender and his profession is chain snatching. She would further submit that the

petitioner is having 11 previous cases, out of which 9 cases are chain snatching and two cases are for house breaking and all the cases are pending trial. She would further submit that the cases are spread out in various Police Stations within the Coimbatore rural districts and that the petitioner is a resident of Chennai and he had all the way gone to Coimbatore district and involved in these cases. She would further submit that most of the cases are pending trial and at this stage, if the petitioner is granted bail, there is a chance of him getting absconded and derail the progress of the trial.

5. Heard the learned counsel on either side. Perused the documents placed on record.

6. Taking into consideration of the antecedents of the petitioner and that out of 11 previous cases, 9 cases are chain snatching cases and two cases are for house breaking and that all the cases are pending trial, and also considering the fact that this Court had dismissed his earlier application very recently on 21.08.2020 and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

7. This Criminal Original Petition stands dismissed accordingly.

-sd/-

28/09/2020

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, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
KAARAMADAI POLICE STATION,
COIMBATORE DISTRICT.

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

CRL OP.14988/2020

Date :28/09/2020