

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.14708 of 2020

S.Anand

... Petitioner

Vs.

State represented by, ... Respondent
The Inspector of Police,
Uthiramerur Police Station,
Kancheepuram District.
Crime No.53 of 2020.

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in Crime No.53 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.Y.Deva Arul Prakash

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 323, 392 of IPC, in Crime No.53 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Sampath Kumar, is that while he was returning from his work, the petitioner along with other accused waylaid him at knife point and snatched Rs.15,000/- along with Mobile phones and other ID cards. 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. He would further submit that since he happens to be a friend of A1 and A2, who were arrested and later enlarged on bail,

he was implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with other accused persons attacked the de-facto complainant with knife and snatched Rs.15,000/-, Mobile phones and other ID cards. A2 was arrested, but the amount has not been recovered. He would further submit that the identification parade has to be conducted and the amount has to be recovered. Hence, the petitioner's custody is necessary. There is no previous case against him. However, he opposed to grant anticipatory bail to the petitioner.

5. It is seen that identification parade has to be conducted and the amount has to be recovered from petitioner. Further, taking into consideration of the facts and circumstances of the case and the custodial interrogation is necessary, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

25/09/2020

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 JUDICIAL MAGISTRATE,
UTHIRAMERUR, KANCHEEPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
UTHIRAMERUR POLICE STATION,
KANCHEEPURAM DISTRICT.

CC to M/S.Y.DEVA ARUL PRAKASH Advocate on payment of necessary charges

CRL OP.14708/2020

Date :25/09/2020