

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.09.2020

CORAM :

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

CRL.O.P.No.14761 of 2020

Sankar

... Petitioner

Vs.

State rep by
Inspector of Police
Madhuravoyal Police Station,
Chennai.
(Crime No.1335/2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1335 of 2020 on the file of the respondent police.

For Petitioners : Mr.V.Devendhiran

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 27.08.2020 for the offence punishable under **Sections 147, 148, 294(b), 307 and 506(ii) IPC in Crime No.1335 of 2020**, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant Vignesh is that on 22.08.2020 around 9.30 p.m., due to previous enmity, the petitioner along with his associates, assaulted the defacto complainant and his friends with knives and wooden logs. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner was arrested on 27.08.2020 and he has been suffering incarceration for more than 25 days. Hence, he seeks for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent would vehemently oppose stating that the petitioner is a notorious element against whom there are five cases pending out of which one for murder. She would further submit that on earlier occasion, the petitioner had executed a bond under Section 110 Cr.P.C. to keep good behaviour. However, he breached the bond conditions executed under Section 110 Cr.P.C. and indulged in this offence and therefore, action has been initiated against the petitioner under Section 110 Cr.P.C.

5. It is seen that the petitioner had already executed a bond under Section 110 Cr.P.C. to keep good behavior. However, he has breached the bond conditions and indulged in this offence. Further, taking into account that the petitioner is a notorious element against whom there are five previous cases including a murder case and the petitioner has been arrested recently on 27.08.2020 and that the investigation is at the nascent stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

22/09/2020

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 INSPECTOR OF POLICE,
MADHURAVOYAL POLICE STATION,
CHENNAI.

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

CRL OP.14761/2020

Date :22/09/2020

MK:29/09/2020