

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Crl.O.P.No.15108 of 2020

Eswar

... Petitioner

Vs.

State represented by
The Inspector of Police,
Sriperumbudur Police Station,
Kanchipuram District
(Crime No.2520 of 2020) Respondent

PRAYER: Criminal Original Petition filed under Section 439 Cr.P.C., to enlarge the petitioner on bail in Crime No.2520 of 2020, pending on the file of the respondent police.

For Petitioner : Mr.D.Devendran

For Respondent : Ms.S.Thankira
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 11.09.2020, for the offences punishable under Section 120(b), 397 IPC, in Crime No. 2520 of 2020, on the file of the respondent police seeks bail.

2.The case of the prosecution as per the defacto complainant, the Manager of R.S.Enterprises, which is engaged in the business of selling M-sand and small black stones, is that on 08.09.2020 while he along with two other accountants were working in the company and examining the income received on that day, five persons came there by wearing raincoat, mask and helmet, threatened them by brandishing knife and assaulted them with hands and snatched away a sum of Rs.6,48,800/- and two mobile phones. Later by tracking the mobile snatched from the victims, the prosecution Agency had ascertained the actual involvement of the petitioner along with 10 other accused and all of them were arrested and remanded to judicial custody. A sum of Rs.1,60,000/- has been recovered from one Aakash, Rs.80,000/- was recovered from this petitioner and Rs.20,000/- was recovered from one John Victor.

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 was arrested on 11.09.2020, the amount of Rs.80,000/- has also been recovered from him and the major part of the investigation is over.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that it is a case which took place in a broad daylight. When the defacto complainant along with other staff members were looking after their accounts, the petitioner and other accused (11 numbers totally) by wearing raincoat, mask and helmet, threatened them by brandishing knife and assaulted them by using hands and snatched away a sum of Rs.6,48,800/- and two mobile phones. She would further submit that the respondent police were able to track the petitioner and other accused based on the movement of the cell phone snatched by them. She would further submit that a sum of Rs.80,000/- has been recovered from this petitioner. She would further submit that they have totally recovered a sum of Rs.2,60,000/- out of Rs.6,48,800/- and investigation is in preliminary stage and the petitioner was identified in the identification parade also.

5.In the light of the above submissions made by the learned Government Advocate and considering the fact that the petitioner was arrested very recently on 08.09.2020 and the investigation is in preliminary stage, this Court is not inclined to grant bail. This Criminal Original Petition stands dismissed accordingly.

-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 SUPERINTENDENT,
CENTRAL PRISON,PUZHAL, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
SRIPERUMBUDUR POLICE STATION,
KANCHIPURAM DISTRICT.

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

CRL OP.15108/2020

Date :25/09/2020

RVR 30/09/2020