

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.10.2020

CORAM :

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

Crl.O.P.No.15163 of 2020

1. Loganadhan ... Petitioners
2. Kolunjiappan
3. Sakthivel

-Vs-

The State Represented by ... Respondent
Tiruppur Rural Police Station,
Tiruppur City.
(Crime No.1187 of 2020).

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, to enlarge the petitioners on bail in Crime No.1187 of 2020 on the file of the respondent police.

For Petitioners : Mr.J.Franklin

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioners, who were arrested and remanded to judicial custody on 06.08.2020 for the offences punishable under Section **457 and 398 of IPC**, in Crime No.1187 of 2020, pending investigation on the file of the respondent police, seek bail.

2.The case of the prosecution as per the defacto complainant one Nataraj is that at night hours while he along with his family members was sleeping, four unknown persons, who could be identified, trespassed into the house, strangulated him, assaulted him with wooden logs and machete and also attempted to rob from the house of the defacto complainant and when the defacto complainant and his wife raised alarm, the accused have absconded from the scene of occurrence leaving four pairs of slippers and one machete.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners were arrested in Crime No.1192 of 2020 in respect of theft of electronic items and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the petitioners have trespassed into the house of the defacto complainant on 03.08.2020 and by strangulating him, attempted to steal from the house of the defacto complainant. When the defacto complainant and his wife raised alarm, they have escaped from the scene of occurrence leaving behind four pairs of slippers and one machete. He would further submit that test identification parade has not been conducted so far and the investigation is pending.

5.Taking into consideration the fact that the investigation is pending and test identification parade has not been conducted so far, this Court is not inclined to grant bail to the petitioners.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-

05/10/2020

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 INSPECTOR OF POLICE,
TIRUPPUR RURAL POLICE STATION,
TIRUPPUR CITY.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

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

WEB COPY

CRL OP.15163/2020

Date :05/10/2020

TA-15/10/2020