

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :06.10.2020

CORAM

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

Crl.O.P.No.15733 of 2020

Sanjay Kumar @ Sanjay

... Petitioner

Vs.

State: Inspector of Police,
SIPCOT Police Station
Krishnagiri District
(Crime No.617 of 2020)

....Respondent

PRAYER: Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No.617 of 2020, pending on the file of the respondent police.

For Petitioner : Mr.M.P.Saravanan

For Respondent : Mr.T.Shunmugarajeswaran
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 10.09.2020, for the offences punishable under Section 394 @ 395, 397 IPC, in Crime No.617 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant one Sharmila is that she is the resident of Hosur and that on 02.09.2020 while she was at home, four unknown persons who could be identified, entered into the house, threatened her and her children, assaulted her and also robbed gold jewelery worth Rs.1,75,000/- from her.

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 since he happens to be the friend of the other accused, other than that he has nothing to do with the said offence. He would further submit that the petitioner has been suffering incarceration from 10.09.2020 and prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that it is a case where the petitioner and the other accused conspired and pre-planned with A1 one Boomika, who is the neighbour and friend of the defacto complainant and committed robbery. A1 / Boomika knowing fully well that the defacto complainant had gold jewels in the house, had

planned with the other accused and opened the door causally as if, she had gone to visit the defacto complainant and upon her instructions the other accused entered into the house as if, they do not know Boomika/A1, threatened her and the defacto complainant and robbed gold jewelery. He would further submit that the identification parade was conducted and the petitioner has been identified. From the call details between A1 Boomika and other accused, the involvement of A1 Boomika was found in this case. He would further submit that all the other accused have been arrested and in judicial custody. He would further submit that there is no previous case against the petitioner. However, the investigation is at the preliminary stage and that the petitioner belongs Karnataka. Hence, he vehemently opposed for grant of bail.

5. Taking into consideration of the gravity and the nature of the offence committed by the petitioner and also considering the fact that the petitioner was arrested very recently on 10.09.2020 and the investigation is in preliminary stage, this Court is not inclined to grant bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-sd/-

06/10/2020

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 OFFICER INCHARGE,
SUB JAIL, HOSUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE
SIPCOT POLICE STATION,
KRISHNAGIRI DISTRICT.

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

CRL OP.15733/2020

Date :06/10/2020

RVR 15/10/2020