

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.OP.No.15740 of 2020

V.Vivekanand @ Vivekanandan
S/o. Venkatesh Elumali

... Petitioner

Vs.

The State represented by
The Inspector of police,
T-3, Korattur Police Station,
Tiruvallur District.
Crime No.1234 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of arrest in Crime
No.1234 of 2020 on the file of the respondent police.

For Petitioner

: Mr.G.Balachandar

For Respondent

: Mr.M. Mohamed Riyaz

Additional Public Prosecutor

ORDER

(This case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offences publishable under Section 379 of IPC in Crime No.1234 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the motor cycle of the defacto complainant parked behind his house was found to be missing. Hence the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and that two other accused have been arrested and that the motor cycle has also been recovered. He would further submit that as far as Cr.No.355 of 2018 is concerned, the petitioner was arrested on 19.07.2020 and enlarged on bail on 03.08.2020. Apart from that case the petitioner has no case against him.

Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner was involved in the case of theft of motorcycle. Earlier , there was an adverse enquiry report received in respect of Cr.No.355 of 2018 under Section 379 of IPC. After verification, the petitioner was found to be involved in cases in Cr.No.609 of 2019 under Section 392 of IPC and Cr.No.6 of 2020 under Section 379 of IPC and yet another case in Cr.No.888 of 2020 under Sections 341, 294 (b), 336, 427, 392, 397 and 506 (ii) of IPC. He would further submit that there are four previous cases as against the petitioner. Hence, he opposed the grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the submissions of the learned counsel and also the fact that the petitioner is involved in four previous cases, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, this Criminal Original Petition is dismissed.

06.10.2020

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Internet: Yes/No

Index: Yes/No

Speaking Order/Non Speaking Order

To

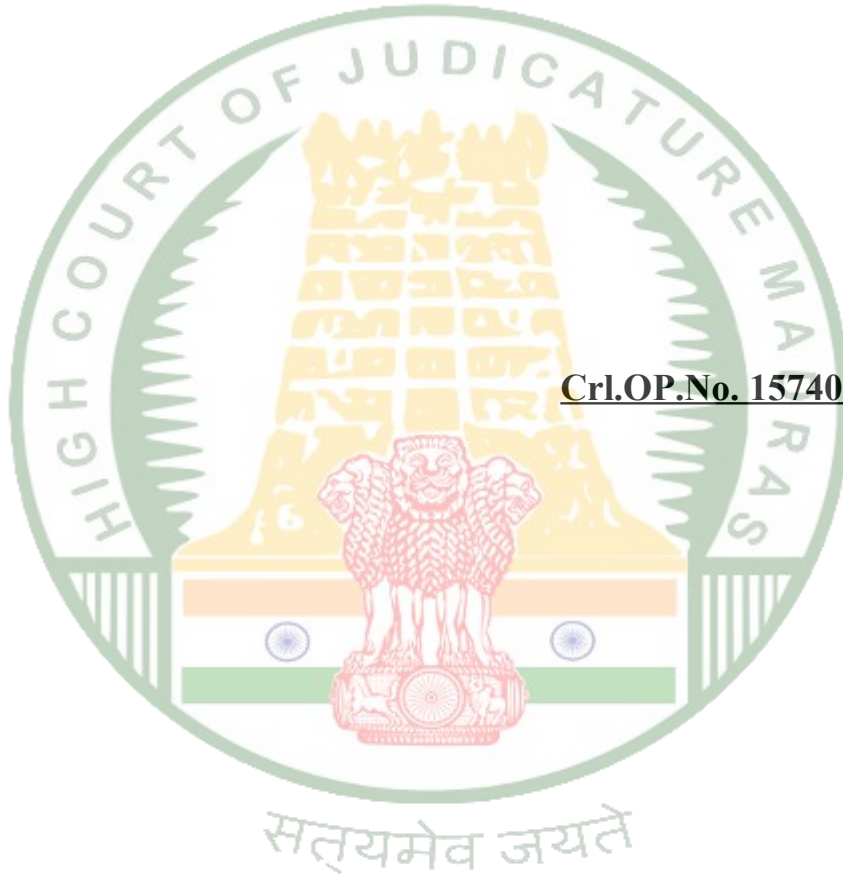
1. The Judicial Magistrate,
Ambattur.
2. The Inspector of police,
T-3, Korattur Police Station,
Tiruvallur District.
3. The Public Prosecutor,
Madras High Court, Chennai.

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A.D.JAGADISH CHANDIRA, J

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