

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.16009 of 2020

A.Dineshbabu

... Petitioner

Vs.

The State Represented by,
Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.

(Crime No.686/2019).

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest by the respondent police pending investigation of the case in Crime No.686 of 2019 on the file of the respondent police.

For Petitioner : Mr.M.Guruprasad

For Respondent : Mr. M. Mohamed Riyaz,
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 302 of IPC and 3 of Public Property (Prevent of Damage & Loss) Act 1992, in Crime No.686 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to previous enmity the petitioner along with other accused attacked the deceased, due to which, he died. Hence, a case was registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that this

is a second anticipatory bail petition and earlier anticipatory bail in CrI.O.P.No.8730 of 2020 dated 24.06.2020 was dismissed as withdrawn. He further submitted that based on the confession statement of the co-accused, the petitioner has been impleaded in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally 11 accused in this case, in which, the present petitioner is arrayed as A2. He further submitted that the petitioner called the other accused to commit the murder and also submitted that the petitioner's name is specifically mentioned in the FIR. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the fact that the case is one of conspiracy and pre-planned murder and that the custodial interrogation of the petitioner is essential, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
28/10/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
CHEYYAR POLICE STATION,
THIRUVANNAMALAI DISTRICT.

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

CRL OP.16009/2020

Date :28/10/2020

MK:20/11/2020