

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2020

CORAM :

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

CRL.O.P.No.16520 of 2020

VIJAYAKUMAR @ THIRUTTU VIJAY KANNAN

... Petitioner

Vs.

State, represented by
The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur District.
(Crime No.4633 of 2020)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.4633 of 2020 on the file of the respondent police.

For Petitioner : Mr.P.Chandra Sekar

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 06.08.2020 for the offences punishable under Section 392, 397 IPC, in Crime No.4633 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant one Imbran S/o.Nijam is that on 06.08.2020 when he parked his lorry on the Highways, the petitioner along with other accused threatened him by brandishing knife and robbed a sum of Rs.700/- and his mobile phone, when the defacto complainant raised alarm, the other lorry drivers caught hold of the accused.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case for statistical purpose. He would further submit that this is the second application for bail and the earlier petitioner was dismissed by this Court on 18.09.2020 and he has been suffering incarceration for more than 2 months. Hence, he prays for grant of

4.The learned Government Advocate (Criminal Side) would vehemently oppose stating that the petitioner is a notorious person against whom there are three previous cases of similar nature pending. He would submit that the petitioner who is a lorry driver from Haryarna along with other accused waylaid the defacto complainant and robbed a sum of Rs.700/- and his mobile phone. Since he raised alarm, the people around have apprehended him on the spot. He would further submit that the petitioner was caught red handed on the same spot. He would submit that the earlier application was dismissed on 06.08.2020 and that there is no change in circumstances.

5.Taking into consideration of the fact that the petitioner is a notorious element against whom there are three previous cases of similar nature is pending and there is no change in circumstances, this Court is not inclined to grant bail to the petitioner,

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-

16/10/2020

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
E-5, SHOLAVARAM POLICE STATION,
THIRUVALLUR DISTRICT.

CC to Mr.P.Chandra Sekar Advocate on payment of necessary charges

CRL OP.16520/2020

Date :16/10/2020