

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.10.2020

CORAM :

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

CRL.O.P.No.16158 of 2020

Sasikaran

... Petitioner

Vs.

State Rep by
Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime.No.1627/2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1627 of 2020 on the file of the Inspector of Police, Perambalur Police Station, Perambalur District.

For Petitioners : Mr.J.Milton Arul Rajendran

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 16.07.2020 through P.T. Warrant, for the offence punishable under Section 399 of Indian Penal Code and Section 25(1A) Arms Act 1959, in Crime No.1627 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant Manoj, the Sub Inspector of Police, is that on 07.06.2020 while he along with his party was conducting usual rounds, he had seen nine accused were making preparation to commit dacoity and they were arrested and that they have informed that one of their friend Kabilan was done to death. Therefore, they have been trying to raise funds to retaliate the murder. During the course of investigation, it came to light that the petitioner is a Srilankan refugee and he had a conversation with the other accused. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner is a Srilankan refugee and this is the second application for bail and the earlier application was dismissed by this Court 07.09.2020. He would submit that the petitioner has been suffering incarceration for three months from 16.07.2020 and he is prepared to abide by any stringent conditions imposed by the Court. He prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner was formally arrested in this case on 16.07.2020 based on certain telephonic conversation intercepted between the petitioner and the other accused. He produced the list of cases pending against the petitioner and submitted that the petitioner is a notorious offender and several cases are pending against him. He would further submit that the petitioner is a Srilankan refugees and if bail is granted, there is every possibility of absconding and they may not be available for trial in this case as well as in the other cases. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration that the petitioner is a notorious offenders and there are several cases pending against him and the investigation is still pending, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition stand dismissed.

-sd/-

12/10/2020

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, PUZHAI, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
PERAMBALUR POLICE STATION,
PERAMBALUR DISTRICT

CC to M/S.J.MILTON ARUL RAJENDRAN Advocate on payment of
necessary charges

CRL OP.16158/2020

Date :12/10/2020

RVR 22/10/2020