

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.10.2020

CORAM :

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

CRL.O.P.No.15981 of 2020

G.KALIMUTHU

... Petitioner

Vs.

State Represented by,
Inspector of Police,
K-2, Ayanavaram Police Station,
Chennai.
(Crime No.874 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.874 of 2020 on the file of the Inspector of Police, K-2 Ayanavaram Police Station, Chennai.

For Petitioner : Mr.G.Vinodhkumar

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 25.08.2020 for the offence punishable under Sections 392 of IPC in Crime No.874 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant viz., Deepa is that on 13.07.2020 when she was going along with her daughter in two wheeler near K.H.Road Central Bank of India, two unknown persons came in a two wheeler and snatched her 4 sovereigns gold chain and flew away from the scene of occurrence.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and that the petitioner was originally arrested in Crime No.375 of 2020 registered by the Red Hills Police Station on 13.08.2020 and thereafter he was produced on P.T. Warrant in this case. He would further submit that the petitioner has been granted bail in Crime No.375 of 2020, registered by the Red Hills Police Station and thereby would seek for bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent would vehemently oppose stating that the petitioner is a habitual offender against whom there are several cases of chain

snatching pending. He would further submit that on 13.07.2020, while the defacto complainant was going along with her daughter in two wheeler near K.H.Road Central Bank of India, the petitioner along with accused came in a two wheeler and snatched her 4 sovereigns gold chain. He would further submit that the petitioner was originally arrested on 13.08.2020 in Crime No.375 of 2020 by the Red Hills Police Station for the offences under Section 392 r/w 511 of IPC and based on the confession statement of the co-accused, the concerned Court issued NBW and the petitioner was produced on P.T. Warrant in this case and remanded to judicial custody on 25.08.2020. He would further submit that two sovereigns of gold jewels have been recovered from the petitioner. Investigation is pending.

5.In the light of the above submissions made by the learned Government Advocate (Crl. Side) that the petitioner is a habitual offender and he has several cases of similar nature are pending and also the fact that the petitioner was arrested on P.T. Warrant in this case, this Court is not inclined to grant bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-

09/10/2020

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 INSPECTOR OF POLICE,
K-2, AYANAVARAM POLICE STATION,
CHENNAI.

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

CRL OP.15981/2020

Date :09/10/2020

RVR 16/10/2020