

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.16173 of 2020

Ayyappan

... Petitioner

Vs.

State rep. By

... Respondent

The Inspector of Police,
T4, Maduravoyil Police Station, Chennai,
CrimeNo.1291 of 2017.

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail in the event of his arrest, in Crime No.1291 of 2017 on the file of the Inspector of police, Maduravoyil Police Station, Chennai.

For Petitioners : Mr.C.D.Sugumar

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 alleged offences punishable under **Section 392 of IPC** in Crime No.1291 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant Thavamani is that the petitioner working as a driver in the porur tolgate, Auditor Office, that he is incharge of the bank and he used to take cash from various banks and taken to office. While so, on on 30.08.2017 he collected money from various banks and when he was returning back to office, two unidentified persons way laid and assaulted him with a knife and robbed an amount of Rs.19,50,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and falsely implicated in this case and he seeks anticipatory bail. The respondent has filed a detailed status report wherein it is stated that the petitioner has committed several offences including the murder case in Thisaiyanvilai Police

Station in Crime. No.333 of 2014 under Section 341, 302 of IPC and r/w 109 IPC ended in life imprisonment on 17.01.2018 and against which, Crl.A.No.81 of 2018 is pending before the Madurai Bench of this Court. It is further stated in the status report that the petitioner has master brain and committed this offence along with five Associates viz., 1.Rajasekar, 2.Dhakshinamoorthy, 3.Manikanda Boopathy, 4.Velapparaja and 5.Thangavelsamy and the whereabouts of Ayyappan, the petitioner and Thangavelsamy, could not be revealed and the remaining accused in this offence Rajasekar, Dakshinamoorthy, Manikanda Boopathy and Velapparaja were arrested on 26.03.2018 Thambirabarani, Padithurai, Udayarpattu, Tirunalveli, and a Scarpio car bearing Registration No.TN-20-AQ-7979 has been seized and produced before the learned Judicial Magistrate No.II, Poonamallee on 27.03.2018 and the accused were remanded to Judicial custody at Central Prison, Puzhal. Later, on 03.08.2018, the absconding accused in the case Thangavelsamy was arrested at Salaipudur, Kayathar, Tuticorin District and cash of Rs.2,45,000/- was seized based on the confession of Thangavelsamy. The accused after committing the offence, taken the share of Rs.3,50,000/-.

4.The learned Additional Public Prosecutor would submit that the petitioner is a master minded person watched the movements of the defacto complainant and committed this offence. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts, submissions made by the learned counsels, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, This Criminal Original Petition stands dismissed.

-sd/-

05/11/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सत्यमेव जयते
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

WEB COPY

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
T-4, MADURAVOYIL POLICE STATION,
CHENNAI.

+1 CC to M/S.C.D.SUGUMAR Advocate on payment of necessary
charges SR.NO.7329

CRL OP.16173/2020

Date :05/11/2020

TA-19/11/2020



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