

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.16075, 16081 and 16134 of 2020

Sarath Ganesh ... Petitioner in Crl.O.P.16075/2020

R.Kovarthan ... Petitioner in Crl.O.P.16081/2020

JOHN ... Petitioner in Crl.O.P.16134/2020

Vs.

State, rep.by ... Respondent in all Crl.OPs.

The Inspector of Police,
Sriperumandur Police Station,
Kanchipuram District.
Crime No.2520 of 2020.

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioners on bail in Crime No.2520 of 2020, on the file of the respondent police.

For Petitioners : Mr.R.Sasikumar

Crl.O.P.Nos.16075&16081 of 2020

For Petitioners : Mr.S.Rajesh

Crl.O.P.No.16134 of 2020

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl.Side)
in all Crl.O.Ps.

ORDER

(The case has been heard through video conference)

The petitioners, who were arrested and remanded to judicial custody on 13.09.2020 and 12.09.2020 for the offences punishable under **Sections 120(b), 397 of IPC**, in Crime No.2520 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant Vimal is that he is working as an Manager in a Crusher and that on 07.09.2020 around 2.30 a.m., the Accountants one Ponraj and Asirvatham were looking into the accounts. At that time, there was some noise in the entrance and when they opened the gate, 11 accused who were wearing masks, rain coats and helmets entered into the container room where the accounts were seen and assaulted the Accountants Ponraj and Asirvatham with knives causing injuries and also robbed an amount of Rs.6,40,800/- and they also damaged the CCTV Cameras and taken away the cell phones belong to the Accountants.

3. The learned counsel appearing for the petitioners in Crl.O.P.Nos.16075 and 16081 of 2020 would submit that the petitioners are innocent and they have been falsely implicated in this case. He would submit that the petitioners are college students and that they were working in a quarry during Covid period since they were not having college and later there was a dispute with regard to salary and thereby, a false complaint has been given against them. He would further submit that the petitioners have been suffering incarceration from 13.09.2020. Hence, he seeks for grant of bail.

4. The learned Counsel for the petitioner Crl.O.P.No.16134 of 2020 would submit that the petitioner is an innocent and he has been falsely implicated in this case due to dispute with regard to salary. He would further submit that the petitioner has been suffering incarceration from 12.09.2020. Hence, he seeks for grant of bail.

5. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners had pre-planned knowing very well that there was money in the quarry, wore rain coats and covered their faces with mask and helmets and entered in to the container room where the accounts were consolidated by the Officers and assaulted them brutally due to which, they sustained serious injuries. Thereafter, taken away an amount of Rs.6,40,800/- and also caused damages to the CCTV Cameras and also taken away the cell phones belong to the Accountants. He would further submit that all the accused in this case have been arrested and the investigation is at the initial stage. He would submit that the as far as the petitioner in Crl.O.P.No.16081 of 2020 is concerned, he has arrayed as A1 and from his custody a sum of Rs.30,000/- has been recovered and the petitioner in Crl.O.P.No.16075 of 2020 is arrayed a A10 and a sum of Rs.25,000/- has been recovered from him and that a sum of Rs.20,000/- has been recovered from the petitioner in Crl.O.P.No.16134 of 2020 who has been arrayed as A9. Hence, he vehemently opposed for grant of bail to the petitioners.

6. Taking into consideration the nature of offence and that the investigation is at the initial stage, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, these Criminal Original Petitions 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 INSPECTOR OF POLICE,
SRIPERUMBUDUR POLICE STATION,
KANCHEEPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI.

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

+1 CC to M/S.S.RAJESH, Advocate on payment of necessary
charges SR.NO.7054

CrI.O.P.Nos.16075, 16081 and 16134 of 2020

Date :12/10/2020

TA-23/10/2020

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