

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.16103 of 2020

G.Sampath

... Petitioner

Vs.

State rep. by

The Inspector of Police

Mel Chenagam Police Station

Tiruvannamalai District

(Crime No.2598 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.2598 of 2020 on the file of the respondent police.

For Petitioner : Mr.J.Pradeep

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 16.08.2020 for the offences punishable under Section 392 IPC, in Crime No.2598 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant one Manikandan is that on 16.08.2020 while he was coming along with his wife towards Melvanakampadi Mariamman Koil in his motor cycle, the petitioner along with other accused had come in a motor cycle, snatched the gold mangal sutra worn by the wife of the defacto complainant. When the defacto complainant and his wife raised alarm, the villagers around caught hold of the accused on the same spot red handedly.

3.The learned counsel appearing 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 this is the second bail application and the earlier application for bail was dismissed by this Court vide order dated 18.09.2020 in Crl.O.P.No.14672 of 2020.

4.The learned Government Advocate (Criminal Side) would vehemently oppose stating that it is a case where the petitioner along with other accused in broad daylight, attempted to snatch the gold mangal sutra worn by the wife of the defacto complainant.

Fortunately, the defacto complainant raised alarm and the people around, caught hold of the accused at the scene of occurrence. He would further submit that the petitioner is arrayed as A1 and he is one who actually attempted to snatch the mangal sutra from the wife of the defacto complainant. He would further submit that the investigation has been completed and charge sheet is also filed on 11.09.2020 before the learned Judicial Magistrate, Chengam and not numbered yet. He would further submit that the petitioner was arrested very recently on 16.08.2020. He would further submit that the bail application of the co-accused was dismissed by this Court recently on 06.10.2020 in CrI.O.P.No.15778 of 2020.

5.Taking into consideration of the fact that the petitioner has attempted to snatch the gold mangal sutra of the defacto complainant's wife in broad daylight and was caught red handed by the villagers and also considering the fact that the petitioner was arrested recently on 16.08.2020, this Court is not inclined to grant bail to the petitioner for the present.

6.This Criminal Original Petition stands dismissed accordingly.

-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 JUDICIAL MAGISTRATE,
CHENGAM

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
MEL CHENAGAM POLICE STATION,
TIRUVANNAMALAI DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

CC to M/S.J.PRADEEP Advocate on payment of necessary charges

CRL OP.16103/2020

Date :12/10/2020

RVR 05/11/2020

<https://hcservices.ecourts.gov.in/hcservices/>