

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

CrI.O.P.No.16560 of 2020

N.Dinesh

... Petitioner/Accused No.4

Vs.

The State, Represented by:

The Inspector of Police,
Kitchipalayam Police Station,
Salem City,
Salem District.

Crime No:609 of 2019

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of his arrest or on his appearance before any court in connection with the case in Crime No.609 of 2019 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Dineshkumar

For Respondent : Mr.M.Mohamed Riyaz,

Additional Public Prosecutor

ORDER

(This 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 Sections 342, 387, 392, 420 and 506(ii) of IPC, in Crime No.609 of 2019, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that the petitioner along with other accused approached the defacto complainant under the guise of purchasing a car, asked him to come to the house of A1 and at knife point intimidated and threatened the defacto complainant and made him call the owner of the car and made the owner of the car to hand over the car to A1 and also got the documents signed in the transfer form and obtained signatures from the defacto complainant. They have also snatched the defacto complainant's ATM card, debit card, his signed cheque leaves and R.C.Book.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case since he happened to be the friend of the main accused.

4.The learned Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that the petitioner is a member of a notorious gang. He along with other accused calculated and approached the defacto complainant and asked him to come to the house of A1 and intimidated the defacto complainant and got his signature in several papers as if the amount was paid to him and they have also obtained signature of the car owner in the transfer forms and they have also snatched the ATM card, debit card, signed cheque leaves and R.C.Book from the defacto complainant. He would further submit that A1 was arrested and he is still in custody and the earlier application for anticipatory bail filed by the petitioner was dismissed as withdrawn very recently on 22.09.2020 in Crl.O.P.No.14813 of 2020.

5.Taking into consideration of the fact that the arrested accused are still in custody and that the earlier application filed by the petitioner was dismissed very recently by this Court on 22.09.2020, this Court is not inclined to grant anticipatory bail to the petitioner.

6.This Criminal Original petition stands dismissed accordingly.

-sd/-
28/10/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

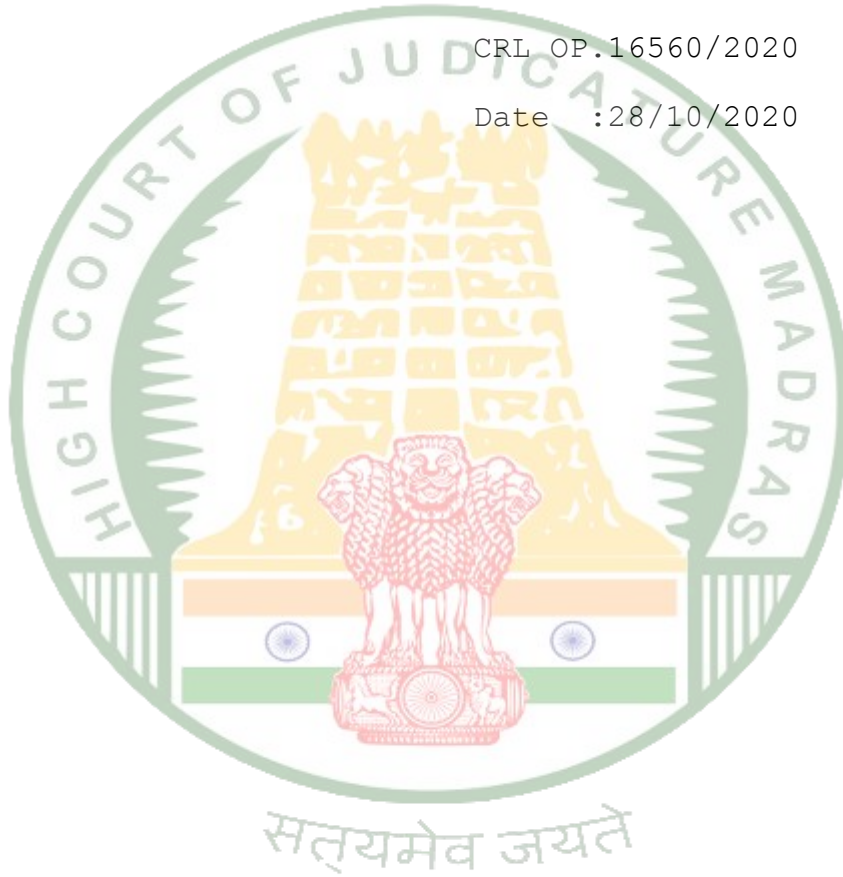
2 THE INSPECTOR OF POLICE,
KITCHIPPALAYAM POLICE STATION,
SALEM CITY, SALEM DISTRICT.

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

CRL OP.16560/2020

Date :28/10/2020

MK:03/11/2020



WEB COPY