

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.16753 of 2020

1. Vignesh @ Vikki @ Vikram
2. Vishwanath @ Viswanathan ... Petitioners

Versus

State by
The Inspector of Police,
E2, Royapettah Police Station,
Chennai- 600 005.
Crime No.1602 of 2020 ... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail, pending investigation of the case in Crime No.1602 of 2020 on the file of the respondent police.

For Petitioner : Mr.Ali Hassan Khan

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl.Side)

O R D E R

The petitioners who were arrested and remanded to judicial custody on 02.10.2020 for the offences punishable under Sections 341, 294(b), 324, 307 and 506(2) of IPC in Crime No.1602 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that the petitioners and another accused person assaulted the defacto complainant with iron rod on his fore head and on his right hand and thereby caused serious injuries to the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the injured discharged from the hospital and the petitioners have been in judicial custody from 02.10.2020. Hence, he sought for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners have assaulted the defacto complainant with iron rod on his forehead and caused serious injuries. He would further submit that A1/first petitioner in this case has one previous case and with regard to A2/second petitioner there is no previous case pending against him. He further submitted that the investigation is in preliminary stage and if the petitioners are released on bail, they may be committing the same offence. Hence, he opposed to grant bail to the petitioners.

5. Considering the nature of offence committed by the petitioners and the fact that there is one previous case pending against the first petitioner/A1 and the investigation is still in preliminary stage, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original petition is dismissed.

-sd/-
22/10/2020

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 METROPOLITAN MAGISTRATE
NO.XVIII, SAIDAPET.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE OFFICER INCHARGE
SUB-JAIL, MADURANTHAKAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
E-2, ROYAPETTAH POLICE STATION,
CHENNAI-600 005.

CC to M/S.ALI HASSAN KHAN Advocate on payment of necessary charges

CRL OP.16753/2020

Date :22/10/2020