

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.16900 of 2020

R.Manojkumar

... Petitioner

Vs.

The Inspector of Police,
Karumathampatty Police Station,
Coimbatore District.
(Crime No. 1943 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C., to enlarge the petitioner on bail in Crime No.1943 of 2020 on the file of the respondent Police.

For Petitioner : Mr.T.Balachandran

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

O R D E R

(This case has been heard through Video Conferencing)

The petitioner who was arrested and remanded to judicial custody on 27.09.2020 for the offences punishable under Sections 294(b), 323, 324, 364(A) and 506 (ii) of I.P.C in Crime No.1943 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused kidnapped the defacto complainant and assaulted him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner's name is not found in the F.I.R. and the petitioner has been falsely implicated in this case based on the confession of the co-accused and that the petitioner has been suffering incarceration from 27.09.2020. Hence, he prays for grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that there was a previous enmity between the defacto complainant and the accused persons in respect of arranging girls for sexual intercourse due to which, the petitioner along with other accused kidnapped the defacto complainant and attacked and thereby, he sustained injuries. He would further submit that the petitioner has got one previous case and he was formally arrested in this case on 30.09.2020 and that the investigation is pending and if the petitioner is granted bail at this stage, there is every possibility that he would tamper the witnesses and hamper the investigation.

5. Taking into account the nature of offence and the fact that the investigation is at the preliminary stage and the petitioner has been arrested recently on 27.09.2020 and that he has got one previous case against him, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands 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 SUPERINTENDENT,
CENTRAL PRISON AT COIMBATORE

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
KARUMATHAMPATTY POLICE STATION,
COIMBATORE DISTRICT.

CC to M/S. T.BALACHANDRAN Advocate on payment of necessary charges

CRL OP.16900/2020

Date :22/10/2020