

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.11.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.17232 of 2020

Sathiyamoorthy

... Petitioner

Vs.

State rep.by

The Inspector of Police,
Needamangalam Police Station,
Tiruvarur District.

(Crime No.1292 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1292 of 2020 on the file of the respondent police.

For Petitioner : Mr.N.Palanivel

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

O R D E R

(The cases have been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 24.09.2020 for the offences punishable under Section 4 (a) of Explosive Substance Act, 1908 and 507 of IPC in Crime No.1292 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant viz. Veerakumar is that on 18.09.2020 he had received a consignment from the Professional Couriers and when he opened the parcel, he was shocked to see an explosive substance sent to him. The defacto complainant further alleged that during the year 2017, he along with others had invested a sum of Rs.6 Lakhs in the finance company called ELFIN E.COM Private Limited and since the said Finance Company did not return the money, he had given a complaint against them, thereby, the defacto complainant suspected that the persons associated with the finance company could have sent the explosive substance to him.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the name of the petitioner does not find place in the F.I.R. He would further submit that the petitioner was arrested on 24.09.2020 and he is in judicial custody for more than 40 days.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the petitioner due to previous enmity had sent the explosive substance by courier to the defacto complainant and unfortunately the explosive did not explode. He would further submit that the defacto complainant had suspected some other persons and given complaint in their names. During the course of investigation, it was found through CCTV footage that the petitioner was the person who had booked the consignment through the professional courier. He would further submit that apart from this consignment, he had also booked yet another consignment to another person and fortunately the explosive did not explode. He would further submit that the investigation is pending.

5.Taking into consideration of the serious nature of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-
03/11/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

सत्यमेव जयते
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

WEB COPY

TO

1 THE OFFICER INCHARGE,
SUB JAIL, MANNARGUDI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
NEEDAMANGALAM POLICE STATION,
TIRUVARUR DISTRICT.

CC to M/S. N.PALANIVEL Advocate on payment of necessary
charges

CRL OP.17232/2020

Date :03/11/2020

MK:06/11/2020



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