

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.17326 & 17352 of 2020

R.KOVARTHAN ... Petitioner in Crl.O.P.No.17326 of 2020

Sarath Ganesh ... Petitioner in Crl.O.P.No.17352 of 2020

Vs.

State, rep.by ... Respondent in both Crl.O.Ps
The Inspector of police,
Sriperumbudur Police Station,
Kanchipuram District.
Crime No.2520 of 2020.

Common Prayer: Criminal Original Petitions filed under Section 439 Cr.P.C. to enlarge the petitioners on bail pending investigation in Crime No.2520 of 2020 on the file of the respondent police.

In Both the Petitions

For Petitioners : Mr.R.Sasikumar

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl. Side)

COMMON ORDER

(These cases have been heard through video conference)

The petitioners were arrested and remanded to judicial custody on 13.09.2020 for the offences punishable under **Sections 120 (b) & 397 of IPC**, in Crime No.2520 of 2020 on the file of the respondent police, seek bail.

2.The case of the prosecution as per the defacto complainant Vimal is that he is working as Manager in a Crusher and that on 07.09.2020 around 2.30 a.m., the Accountants one Ponraj and Asirvatham were looking into the accounts. At that time, there was some noise in the entrance and when they opened the gate, 11 accused who were wearing masks, rain coats and helmets entered into the container room where the accounts were seen and assaulted the

Accountants Ponraj and Asirvatham with knives causing injuries and also robbed an amount of Rs.6,40,800/- and they have also damaged the CCTV Cameras and taken away the cell phones belonging to the Accountants.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would submit that the petitioners are college students and that they were working in a quarry during Covid period since they were not having college and later there was a dispute with regard to salary and thereby, a false complaint has been given against them. He would further submit that the petitioners have been suffering incarceration from 13.09.2020. Hence, he seeks for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that Kovarthan is the main accused in this case and he is A1 and from him an amount of Rs.30,000/- has been recovered and another petitioner Sarath Ganesh is A10 in this case and from him an amount of Rs.25,000/- has been recovered. He would further submit that the offence is grave in nature, wherein the petitioners have worn rain coats and covered their faces with mask and monkey caps and they have also assaulted the employees of the company. He would further submit investigation is pending.

6. Taking into consideration of the nature of offence and that the investigation is at the initial stage, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, these Criminal Original Petitions stand dismissed.

-sd/-
05/11/2020

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 DISTRICT MUNSIF-CUM
JUDICIAL MAGISTRATE, SRIPERUMBUDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SRIPERUMBUDUR POLICE STATION,
KANCHIPURAM DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

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

CRL OP.17326 & 17352/2020

Date :05/11/2020

TA-18/11/2020



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