

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.11.2020

CORAM :

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

CRL.O.P.No.17528 of 2020

Vijay

... Petitioner

Vs.

State of Tamilnadu rep by its:
The Inspector of Police, (L&O)
M.8 Sathangadu Police Station,
Sathangadu Police Station,
Chennai.
(Crime No.2317 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail concerned in Crime No.2317 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.A.Thirumaran

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

ORDER

(The cases have been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 31.08.2020 for the offences punishable under Sections 294 (b), 341 and 307 of IPC in Crime No.2317 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the *de facto* complainant Sukan is that on 30.08.2020 while he was standing outside of his house, the petitioner had in an inebriated condition, abused and assaulted the *de facto* complainant with knife, due to which, he sustained injuries.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case due to enmity. He would submit that this is the second bail application and that the petitioner was arrested on 31.08.2020 and he has been suffering incarceration for more than two months. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that the petitioner is a notorious element against whom there are eight previous cases pending and on the fateful day, the petitioner assaulted the *de facto* complainant with knife, due to which, he sustained injury on his left neck. He would further submit that the petitioner was arrested on 31.08.2020 and the investigation is pending.

5. Taking into consideration the nature of offence and the fact that the petitioner is a notorious element against whom eight previous cases are pending and that the petitioner has been arrested on 31.08.2020, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
09/11/2020

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 INSPECTOR OF POLICE,
M.8 SATHANGADU POLICE STATION,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S A.THIRUMARAN Advocate on payment of necessary charges

CRL OP.17528/2020

Date :09/11/2020

MN-01/12/2020