

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2020

CORAM :

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

CrI.O.P.No.17596 of 2020

1. M.Manikandan
2.A.Joseva

..Petitioners

Vs.

State represented by
The Inspector of Police
E-3 Teynampet Police Station
Teynamept, Chennai - 600 018
Cr.No.868 of 2020

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.868 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Jayaraman

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

O R D E R

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 15.10.2020 for the offence punishable under Sections 294(b), 436 and 506(ii), in Crime No.868 of 2020, seeks bail.

2. The case of the prosecution as per the defacto complainant Ashok Kumar is that due to previous enmity, the accused joined together and hurled petrol bombs inside the house of the defacto complainant and also set fire due to which, the door and the two wheelers parked inside the compound got damaged.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case since, they were found near other accused. Other than that the petitioners did not commit any offence as alleged by the prosecution. He would further submit that the petitioners have been suffering incarceration for more than 25 days from 15.10.2020. Hence, he prays for grant of bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that due to previous enmity, the petitioners along with other accused hurled petrol bombs inside the house of the defacto complainant and caused severe damages to the door and also caused severe damages to six motor cycles which were parked inside compound by setting them ablaze. He would submit that the petitioners were arrested recently on 15.10.2020 and the other accused are still in judicial custody and that the investigation is pending.

5. Taking into account the nature of offence and the fact that the investigation is still pending and that the petitioners have been arrested very recently, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

10/11/2020

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 OFFICER INCHARGE,
DISTRICT JAIL, CHENGALPET

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
E-3, TEYNAMPET POLICE STATION,
TEYNAMPET, CHENNAI 600 018.

CC to M/S.K.JAYARAMAN Advocate on payment of necessary charges
Sr.7462

WEB COPY

CRL OP.17596/2020

Date :10/11/2020

RVR 20/11/2020