

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2020

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.19360 of 2020

Prasanth

... Petitioner

Vs.

The State Represented by,

The Inspector of Police,

Kodavasal Police Station,

Thiruvarur District.

Crime No.533/2019.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest concerned in Crime No.533 of 2019 on the file of the respondent police.

For Petitioner : M/s.P.Krishnaveni

For Respondent : Mr.M.Mohamed Riyaz,

Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 341, 294(b), 323, 506(i) and 379 of IPC, in Crime No.533 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 29.11.2019 at about 9.15 p.m, while the defacto complainant and his wife went to Keevalur in his bike and at that time the petitioner along with other accused waylaid the defacto complainant and robbed 5 sovereign of gold jewel, 5 lakhs Cash and one one cell phone and also abused him in filthy language. Hence the complaint.

3. The learned Counsel for the petitioners submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted

against him. He would further submit that on the confession statement given by the co-accused, the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner along with other accused waylaid the defacto complainant and robbed 5 sovereign of gold jewel, 5 lakhs Cash and one one cell phone and also abused him in filthy language. He further submitted that the custodial interrogation of the petitioner is essential and also submitted that the first accused has already been arrested and enlarged on bail. He further submitted that a sum of Rs.1,00,000/- has been recovered from the first accused and a sum of Rs.4,00,000/- is yet to be recovered. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the allegations and the investigation is still pending and also that the custodial interrogation of the petitioner is essential and that Rs.4 lakhs is yet to be recovered, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
10/12/2020

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 PUBLIC PROSECUTOR, HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
KODAVASAL POLICE STATION,
THIRUVARUR DISTRICT.

CC to M/S.P.KRISHNAVENI Advocate on payment of necessary charges

CRL OP.19360/2020

Date :10/12/2020

GKS:06/01/2021