

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.19015 of 2020

Vivek

... Petitioner/Accused 1

Vs.

The State Represented by
The Inspector of Police,
J-4, Kotturpuram Police Station,
Chennai.
(Crime No.943 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of apprehending arrest in Crime No.943 of 2020 pending on the file of the respondent.

For Petitioner : Mr.D.Gopikrishnan

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 341, 294(b), 384 and 506(ii) of IPC, in Crime No.943 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant namely Karthik that he is running a Fruit Shop and the petitioner went to his shop and demanded rowdy mamool. Hence, the complaint.

3.The learned Counsel appearing for the petitioner would submit that this is the second anticipatory bail application. He would submit that the petitioner was earlier granted anticipatory bail in Crl.O.P.No.13686 of 2020 dated 04.09.2020. Due to illness, the petitioner was unable to surrender before the concerned Court, as stipulated in order dated 04.09.2020 and thereby the period stated therein got lapsed.

4.The Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that on an earlier occasion inadvertently it has been stated before this Court that no case has been registered/pending against the petitioner. However, he would submit that after due verification, it has been found that the petitioner has got five previous cases registered against him, out of which one case was under Section 302 IPC during the year 2018 and

three cases were under Section 397 IPC during the year 2019. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent.

6. Taking into consideration the facts and submissions of the learned Counsel and also the fact that there are 5 previous cases pending as against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

07/12/2020

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,
J-4, KOTTURPURAM POLICE STATION,
CHENNAI.

CC to M/S.D.GOPIKRISHNAN Advocate on payment of necessary charges

WEB COPY

CRL OP.19015/2020

Date : 07/12/2020

RVR 11/12/2020