

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2020

CORAM

THE HONOURABLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.19784 of 2020

B.MATHIVANAN

... Petitioner

Vs.

The State rep. By:
The Inspector of Police ,
Sathuvachari Police Station,
Vellore District.
(Crime No.1511 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.1511 of 2020 on the file of the respondent police.

For Petitioner : Mr.T.Arul

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to the judicial custody on 12.11.2020 for the alleged offences punishable under section 454, 380 of IPC in Crime No.1511 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the *de facto* complainant viz., Chandran is that on 10.11.2020, he had gone out and when he had come back to his house at 9.00 p.m., he had seen his front door of his house was broken and 2.4 Kgs of gold and cash worth about Rs.8 Lakhs were stolen from his house. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioner is innocent and he has been falsely implicated in this case. He would submit that even as per the prosecution, the major part of the stolen articles have been recovered. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent opposed stating that the petitioner was arrested very recently on 12.11.2020. He would submit that the petitioner is a relative of the defacto complainant had come to know that the defacto complainant had gone out of the house, the petitioner along with A2 broke open and entered into the house and committed theft of 2.4 Kgs of gold and a cash of Rs.8 Lakhs. He would further submit that the petitioner has been arrested very recently on 12.11.2020 and that investigation is still pending. He further submit that the other accused is yet to be arrested and the major part of the stolen articles have been recovered.

5. Taking into consideration the facts and submissions made by the learned counsels and the fact that the petitioner has been arrested very recently and also the fact that the articles involved in the said crime is very huge, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed for the present.

-sd/-
14/12/2020

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 JUDICIAL MAGISTRATE,
NO.IV, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SATHUVACHARI POLICE STATION,
VELLORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

CC to M/S T.ARUL Advocate on payment of necessary charges

CRL OP.19784/2020

Date :14/12/2020