

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.12.2020

CORAM :

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

CRL.O.P.No.20643 of 2020

A.Sankar

... Petitioner

Vs.

State Rep By

... Respondent

The Sub-Inspector of Police
Vandavasi North Station
Vandavasi, Tiruvannamalai District.
(Crime No.763 of 2020)

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.763 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.G.Kartheeban

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 27.10.2020 for the offence punishable under **Section 397 IPC**, in Crime No.763 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant who is the Supervisor of a TASMACHOP situated at Vachanoor Village, Cheyyar Taluk, is that on 27.10.2020, the petitioner along with other accused entered into his TASMACHOP and robbed cash of Rs.42,000/-.

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 based on the confession of the co-accused. He would submit that A1 to A3 have been detained under Act 14 and as far as this petitioner is concerned, he has got no previous case against him and that the petitioner been suffering incarceration for more than 55 days from 27.10.2020. Hence, he prays for grant of bail.

4. The learned Government Advocate (Crl. Side) would vehemently oppose stating that the petitioner along with other accused robbed Rs.42,000/- from the TASMACH Shop in which, the defacto complainant is working as a Supervisor. He would submit that there are two previous cases pending against the petitioner and the respondent police is taking steps to conduct I.D. Parade and that the investigation is pending.

5. Taking into consideration of the fact that the petitioner has got two previous cases to his credit and the respondent police is taking steps to conducted I.D. Parade and that the investigation is at the initial stage, this Court is not inclined to grant bail to the petitioner at this stage.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

23/12/2020

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 SUB INSPECTOR OF POLICE,
VANDAVASI NORTH STATION, VANDAVASI,
TIRUVANNAMALAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

+1 CC to M/S G.KARTHEEBAN Advocate on payment of necessary charges SR NO.8665

CRL OP.20643/2020

Date :23/12/2020

MN-04/01/2021