

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2020

CORAM :

THE HON'BLE Mr. JUSTICE V.SIVAGNANAM

CRL.O.P.Nos.20968, 20971 of 2020

Tamilarasu @ Ambi .. Petitioner in Crl.O.P.No.20968 of 2020

R.Gopi @ Mohanraj .. Petitioner in Crl.O.P.No.20971 of 2020

Vs.

State rep. by,
The Inspector of Police
Perundurai Police Station,
Crime No.443 of 2018

Now transferred to
The Inspector of Police,
CBCID - Erode.
(Crime No.1 of 2020)

... Respondent in both petitions

COMMON PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to grant Bail to the Petitioner in Crime No.1 of 2020 pending on the file of the Inspector of Police, CBCID, Erode.

For Petitioners : Mr.M.Deivanandam in both petitions

For Respondent : Mr. K.Madhan
Government Advocate (Crl. Side)
in both petitions

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 08.12.2020 for the offence punishable under Sections 341, 363, 324, 506(ii) of IPC altered to 120(b), 294(b), 341, 342, 364, 307, 506(ii) and 201 of IPC, in Crime No.1 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.08.2018, the petitioners / A3 and A4 along with other accused are alleged to have abducted the defacto complainant and caused injuries and criminally intimidated him. The petitioners were arrested on 08.12.2020 and the first remand period got completed on 22.12.2020. There is no material evidence against the petitioner to implicate them. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the case in Crime No.443 of 2018 was originally registered in the Perundurai Police Station. The petitioners submitted that the entire investigation in this case has been completed and these petitioners are not taken for police custody after a lapse of 15 days and hence there is no necessity to detain them under judicial custody and the petitioners would abide any condition imposed by this Court. Hence, he prays for grant of bail to the petitioner. He would further submit that the petitioners were arrested on 08.12.2020.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the investigation is still pending. However, he opposed to grant bail to the petitioners.

5. Heard the learned Counsels and perused the F.I.R.

6. Considering the grave nature of the offence and the circumstances of the offence committed, I am declined to grant bail to the petitioners.

7. These Criminal Original Petitions shall stand dismissed accordingly.

-sd/-
30/12/2020

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 OFFICER INCHARGE
SUB JAIL, ERODE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
CBCID, ERODE.

4 THE INSPECTOR OF POLICE,
PERUNDURAI POLICE STATION.

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

CRL OPs.20968 & 20971/2020

Date :30/12/2020

cs 11/01/2021