



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/03/2020
PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4239 of 2020

Kalaiselvam

... Petitioner/Accused No.4

Vs

The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District
(Crime No.60 of 2020)

... Respondent/Complainant

For Petitioner : Mr.R.Murugan,
Advocate.

For Respondent : Mr.S.Chandarasekar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C

PRAYER :-

for Bail in Crime No.60 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State.

2.The petitioner is arrayed as accused No.4. He was arrested and remanded to judicial custody on 11.02.2020, for the offence punishable under Section 392 of IPC, in Crime No.60 of 2020, on the file of the respondent police. He seeks bail.

3.Based on the complaint given by one Sivavignesh alleging that while he was talking in his cellphone after parking his Pulsar bike, three persons whom he could identify, came near him, one took a knife and tried to stab him. The other two persons snatched away his Silver Bracelet and Chain, Rs.3,500/- cash and Samsung J7 pro cell phone, pushed him down and fled in their bike. This has happened on 05.02.2020 at 08.30 p.m., and the First Information Report was registered on 06.02.2020 at 12.00 noon. Thereafter, on 11.02.2020 at 14.00 hours, this petitioner was intercepted by the



respondent police at Perungulam Tollgate, when he was found moving in a suspicious manner in his TN-65-AE-5061 TVS Appachi Bike. This petitioner while intercepting, tried to flee from the scene, but the respondent police has apprehended him and enquired. From his statement they have come to know that the chain snatching, which is a subject matter of the complaint given by Sivavignesh was done by his brother Nanni @ Jegannathan Modi @ Mukeshpandi and two others and this petitioner was keeping watch and surveillance behind them, while the three other accused A-1 to A-3 snatched the chain, money and cellphone from Sivavignesh.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was not intercepted near the tollgate as alleged by the respondent police, but he was taken from his residence, treated badly by the respondent police and they have foisted the case, since they suspected that Nanni @ Jegannathan Modi @ Mukeshpandi/A-1 is absconding.

5.The learned Additional Public Prosecutor appearing for the State would submit that the confession statement of the petitioner herein reveals the role of the petitioner in the crime of robbery and extortion; the three other accused persons were still in abscondance and this petitioner was apprehended; and by chance, if he is released on bail, will flee further. From the confession statement of the petitioner herein, it is seen that he has some bad antecedents and an attempt to murder case is pending against him.

6.Taking note of the apprehension of the learned Additional Public Prosecutor that, if the petitioner is granted bail, he will not be available for investigation and also the fact that the other three accused are still at large, this bail petition is dismissed for the present.

sd/-
09/03/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

- 1 THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT
- 2 THE OFFICER IN-CHARGE
DISTRICT PROSON,
RAMANATHAPURAM
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI .

ORDER
IN
CRL OP (MD) No.4239 of 2020
Date :09/03/2020

ME/JC/SAR 4/16.03.2020/3P/4C