

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.02.2021

CORAM :

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.1309 of 2021

Vignesh @ Vicky

... Petitioner

Vs.

State Rep. by
Inspector of Police,
S-10 Pallikaranai Police Station,
Chennai.
(Crime No.446 of 2019)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.446 of 2019 on the file of respondent police.

For Petitioner : Mr.M.Prakash

For Respondent : Mrs.M. Prabavathi,
Addl. Public Prosecutor

ORDER

The respondent police has registered a criminal case against the petitioner in Crime No.446 of 2019 for the alleged offence punishable under Sections 147, 148, 341, 294(b), 336, 324, 427, 307, 506(ii) of I.P.C. The petitioner was arrested on 04.05.2019. Subsequently, he was granted bail on 15.07.2019 in Crl.M.P.No.3256 of 2019 by the learned Principal District Judge, Chengalpattu with a condition to report before the respondent police for 30 days from the date of release. As the petitioner has failed to comply the condition imposed by the court below, the respondent police had filed a petition for cancellation of bail before the learned Principal District Judge, Chengalpattu and the learned Judge has cancelled the bail order on 05.11.2020 and issued a warrant against the petitioner. Now, he has filed this petition seeking for bail.

2. The learned Additional Public Prosecutor appearing for the respondent would submit that since already the petitioner was enlarged on bail with a condition, he has not complied with the condition, the investigation is still pending and charge sheet also has not yet been filed. Therefore, under these circumstances, if the petitioner is released on bail, he would not be expected to co-operate with the investigation and the investigation would not be completed. Hence, the learned Sessions Judge has dismissed the bail

petition. Therefore, she has raised serious objection to grant bail to the petitioner.

3. On a perusal of records, it is seen that the petitioner has not complied with the order passed by the learned Principal District Judge, Chengalpattu, the investigation is still pending and the charge sheet has not yet been filed, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
01/02/2021

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-II,
ALANDUR, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
CHENGALPET [FOR INFORMATION].

3 THE PRINCIPAL DISTRICT JUDGE,
CHENGALPATTU.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
S-10, PALLIAKARANAI POLICE STATION,
CHENNAI.

6 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

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

CRL OP.1309/2021

Date :01/02/2021