

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.02.2021

CORAM :

THE HON'BLE MR. JUSTICE P. VELMURUGAN

Cr1.O.P.No.1251 of 2021

Thangaraj

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Kandhikuppam Police Station
Krishnagiri District.
(Crime No.545 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.545 of 2020 pending investigation on the file of the Respondent.

For Petitioner : No appearance

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

ORDER

The respondent has registered the criminal case against the petitioner for an alleged offence under Sections 341, 392 of I.P.C. @ 341, 397 of I.P.C. in Crime No.545 of 2020. The petitioner was arrested and remanded to judicial custody on 01.12.2020. Totally, there are 8 accused and the petitioner is arrayed as A7. Accordingly, the petitioner has filed this petition seeking to grant bail.

2. There is no representation by learned counsel appearing for petitioner.

3. The learned Additional Public Prosecutor appearing for the respondent would submit that the respondent police has registered the criminal case against the petitioner, he is arrayed as A7 and totally, there are 8 accused. He would submit that the investigation is still pending and A8 in this case is absconding. He would also submit that since one of the accused is still absconding, the respondent police is not able to complete the investigation and the charge sheet also could not be filed. Hence, the learned Judicial Magistrate No.I, Krishnagiri has dismissed the petition stating that the petitioner is an habitual offender and if he is released on bail, he will be absconding and the investigation could not be completed.

He would further submit that he petitioner is also involved in another criminal case in Crime No.942 of 2020 and the bail application of the said case was also coming up today for hearing. Therefore, he has raised serious objection to grant bail to the petitioner.

4. Taking into consideration of the fact that the petitioner is an habitual offender, the investigation is still pending and the charge sheet has also not 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 NO.I,
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KANDHIKUPPAM POLICE STATION,
KRISHNAGIRI DISTRICT.

5 THE OFFICER INCHARGE,
SUB JAIL, HOSUR.

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

CRL OP.1251/2021

Date :01/02/2021