

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

CrI.O.P.No.1402 of 2021

1.M.Raji
2.Kubenthiran

... Petitioners

Vs.

State rep. by:

The Inspector of Police,
F.5, Choolaimedu Police Station,
Chennai.

(Crime No.763 of 2019)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge to the petitioners on bail in the event of their arrest in connection with Crime No.763 of 2019 on the file of the respondent.

For Petitioners : Mr.G.Nirmal Krishnan

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 294(b), 323, 392, 307, 336, 427, 506(ii) IPC in Crime No.763 of 2019, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with the other accused are said to have attacked the defacto complainant and robbed Rs.1000/- at knife point. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not indulged any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the State submitted that the petitioners are habitual offenders and insofar as 1st petitioner is concerned, he has three pending cases including one case under Section 302 IPC and insofar the 2nd petitioner is concerned, one previous case pending against him. Therefore, he strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the nature of the offence committed by the petitioners and also they are habitual offenders, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
02/02/2021

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 METROPOLITAN MAGISTRATE,
NO.XVII, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
F.5.CHOOLAIMEDU POLICE STATION,
CHENNAI.

CC to M/S G.NIRMAL KRISHNAN Advocate on payment of necessary charges

CRL OP.1402/2021

Date :02/02/2021

cs 10/02/2021