

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twelfth day of May Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.8959 of 2021

G.SRIDAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE,
NEMILI POLICE STATION,
RANIPET DISTRICT
CR NO.70/2021

For Petitioner : M/S.N.MANOCHARAN Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

- (1) The petitioner who is arrayed as A-1 out of five accused and who was arrested and remanded to judicial custody on 02.04.2021 for the offences punishable under Sections 294[b], 323, 324 & 506[II] of IPC altered to one under Sections 294[b], 323, 324, 506[ii], 147, 148 and 307 of IPC in Crime No.70/2021 on the file of the respondent police, seek bail.
- (2) The case of the prosecution is that on 29.03.2021 at about 1.30 p.m., when the defacto complainant was standing near the pawn shop belonging to one Varadhan at Sendamangalam railway gate, the accused persons came and said to have assaulted him using hands, wooden logs and knife and as a result of which, the complainant sustained grievous injuries.
- (3) The learned counsel for the petitioner submitted that A3 and A4 were enlarged on bail by the learned Judicial Magistrate, Arakonam on 30.03.2021 and when the petitioner, along with A2 and A5 had approached this Court by filing CrI.OP.No.7643/2021, this Court, vide order dated 26.04.2021, had granted the relief of bail to A2 and A5 and dismissed the petition in respect of this petitioner/A1 on the ground that the petitioner has got previous cases pending against him.

(4)The learned counsel for the petitioner would further submit by drawing the attention of this Court to paragraph No.7 of the petition, that though the petitioner has been implicated in five previous cases, three cases had ended in acquittal and only two cases are pending against him. It is submitted that since the petitioner is in judicial custody from 02.04.2021, the learned counsel seeks bail to the petitioner subject to any stringent conditions.

(5)However, the learned Additional Public Prosecutor strongly opposes this petition on the ground that the petitioner is the main accused in this case and the fact that he has got five previous cases, shows his bad antecedents and if he is released on bail, there is no guarantee that he would not commit any offence in the near future and hence, prays for dismissal of this petition.

(6)A perusal of the order dated 26.04.2021 made in Crl.OP.No.7643/2021 would reveal that the petition as against this petitioner was dismissed mainly for the reason that he has got previous cases pending. Though three of the cases had ended in acquittal, the fact remains that he had involved in five previous cases and that two out of five cases are pending against him. The earlier bail application was dismissed only on 26.04.2021 and there is no change of circumstances to consider this petition for bail.

(7)In this view of the matter, this Criminal Original Petition stands DISMISSED.

-sd/-

12/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सत्यमेव जयते
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

2 THE SUB INSPECTOR OF POLICE,
NEMILI POLICE STATION,
RANIPET DISTRICT

WEB COPY

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.N.MANOCHARAN Advocate on payment of necessary charges
Sr.6163

CRL OP.8959/2021

Date :12/05/2021

RVR 02/06/2021



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