

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.9716 of 2021

1.Chinnarasu
2.Shanmugam
3.Simbu @ Sathiyamoorthy
4.Gowtham

... Petitioners

Vs.

State represented by
The Station House Officer,
Valluvanur Police Station
Villupuram District.
Crime No.245 of 2021.

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail pending investigation in Crime No.245 of 2021 on the file of the respondent police.

For Petitioners : Mr.S.Anburaja

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner who was arrested on 27.04.2021 and remanded to judicial custody for the offences under Sections 147, 148, 341, 294(b), 323, 324, 506(ii), 307 IPC in Crime No.245 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 26.04.2021, the petitioners along with other accused persons, abused and assaulted the defacto complainant with thadi and koduval on his head with an intention to murder him and also they threatened him with dire consequences. Hence the complaint.

3.The learned counsel for the petitioners submits that the petitioners are innocent person and they have been falsely implicated in this case. They were arrested and remanded to judicial custody on 27.04.2021 and they are in custody for the past 30 days. Earlier bail application of the petitioners was dismissed by the Vacation Sessions Court, Villupuram, in Crl.M.P.No.3168 of 2021 on 19.05.2021.

4.The learned Government Advocate (Crl.Side) vehemently opposed the grant of bail by stating that the petitioners attacked the defacto complainant with an intention to murder him and also threatened with dire consequences. In this case, A1 is still absconding and he had caused 9 cut injuries on the head of the defacto complainant. He would submit that the petitioners herein are ranked as A2 to A5. A2 having 3 previous cases. A3 having 3 previous cases. A4 having 2 previous cases and A5 having 2 previous cases. He would further submit that though injured has been discharged from hospital, there is a proposal to detain the petitioners under Goondas Act. Hence he vehemently opposed to grant bail to the petitioners.

5.Considering the facts and circumstances of the case, the petitioners are involved in serious offences, also having previous cases and caused grave injuries to the defacto complainant, this Court is not inclined to grant bail to the petitioners. Accordingly, the Criminal Original Petition stands dismissed.

-sd/-
27/05/2021

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.2,
VILLUPURAM.

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATION HOUSE OFFICER,
VALLUVANUR POLICE STATION,
VILLUPURAM DISTRICT.

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

CRL OP.9716/2021

Date :27/05/2021

MK:02/07/2021