

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10157 of 2021

Sam Benjamin

... Petitioner/Accused - 1

Vs.

The State represented by,
The Inspector of Police,
S-11, Tambaram Police Station,
Chennai.

(Crime No.114 of 2021) ... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Sections 439 Cr.P.C. praying to enlarge the petitioner on bail in Crime No.114 of 2021, on the file of the respondent police.

For Petitioner : Mr.T.Palani

For Respondent : Mr.E.Raj Thilak
Government Advocate (Crl.Side)

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 20.03.2021 for the offence punishable under Section 394 of I.P.C, in Crime No.114 of 2021 on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused went to defacto complainant's house for painting work. At that time, they robbed a sum of Rs.50,000/- from the defacto complainant by attacking him. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is not involved in the above alleged offence and he is no way connected with the offence as alleged by the prosecution and he did not commit any offence. Further, he submits that the petitioner is in judicial custody from 20.03.2021 and hence, he seeks for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is a native of Tirunelveli District and he has committed offence at the respondent police jurisdiction. He would further submit that so far they have identified only two previous cases against the petitioner, in which one case registered under POCSO Act and the trial is pending before the Trial Court at Tirunelveli District. They also suspect that the petitioner has committed so many crimes. Hence, he vehemently opposed to grant bail to the petitioner.

5.It is seen that the petitioner has two previous cases, in which one case registered under POCSO Act, which is pending trial at Tirunelveli, whereas the present case has been registered at the respondent's jurisdiction. The respondent Police also suspect that the petitioner would have been connected with some other cases. Therefore, if the petitioner is released on bail, he will abscond and stall the trial proceedings. As such, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
10/06/2021

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

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

TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
CHENGALPATTU.
- 2 THE JUDICIAL MAGISTRATE NO.1,
TAMBARAM.

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3 THE INSPECTOR OF POLICE,
S-11 TAMBARAM POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAL II, CHENNAI.

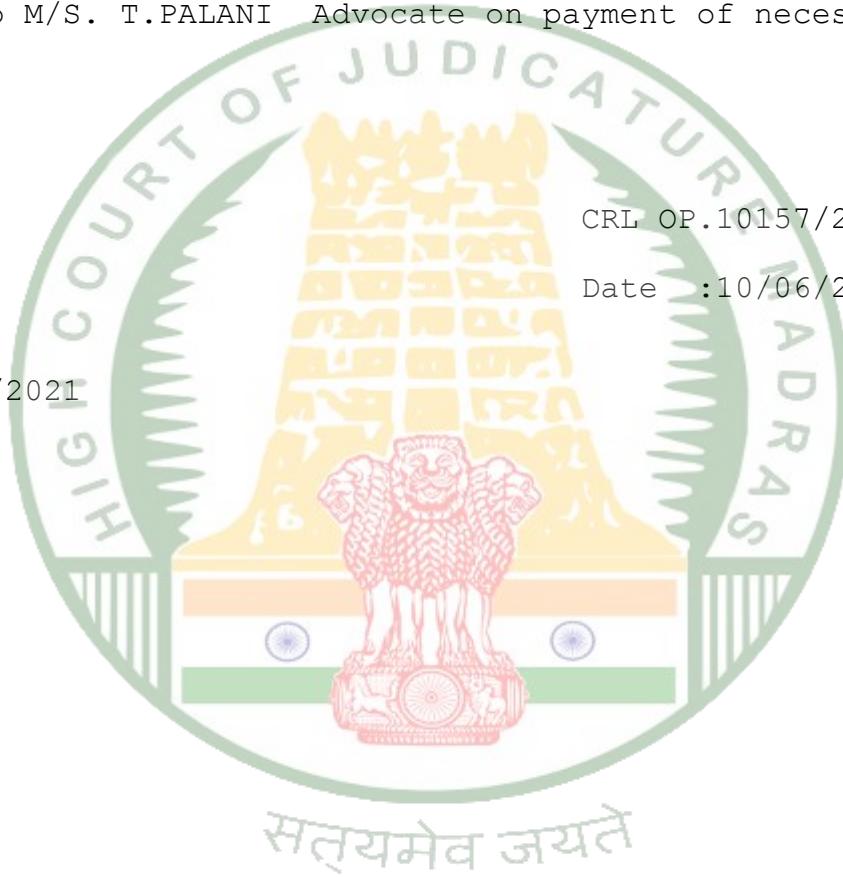
5 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

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

CRL OP.10157/2021

Date :10/06/2021

SRG 28/06/2021



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