



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13656 of 2021

SAKTHIVEL (KOZHI @ SAKTHI)

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VELLORE NORTH POLICE STATION,
VELLORE DISTRICT
CR NO. 39 OF 2020

[RESPONDENT]

For Petitioner : M/S.S.SILAMBU SELVAN Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

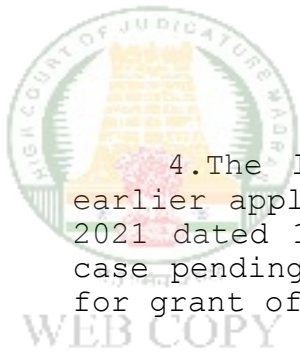
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 19.01.2020 for the alleged offences punishable under Sections 394, 397, 376(D), 506(ii), 368, 392 and 109 of IPC, in Crime No.39 of 2020, on the file of the respondent police, seeks bail.

2. This is the second bail application filed before this Court. The case of the prosecution is that there was a gang rape. The petitioner along with other accused persons said to have trespassed the defacto complainant, who was a lady, attacked her, stolen gold jewels also raped her. Hence, the complaint

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is in jail from 19.01.2020. He further submits that earlier, the petitioner was detained under Act 14 of 1984 and one year detention period is also over. Therefore, he prays for grant of bail to the petitioner.



4.The learned Government Advocate (Crl.Side) would submit that earlier application was dismissed by this Court in Crl.O.P.No.2220 of 2021 dated 19.02.2021. He further submits that there is one previous case pending as against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

5.Considering the fact that there is one previous case pending as against the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

05/08/2021

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 INSPECTOR OF POLICE,
VELLORE NORTH POLICE STATION,
VELLORE DISTRICT

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.13656/2021

Date :05/08/2021

APN 31/08/2021