

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.10676 of 2021

P.Manikandan @ C.D.Mani

... Petitioner

Vs.

State Rep By
Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai.

.... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.524 of 2021 on the file of Inspector of Police, R-9, Valasaravakkam Police Station pending investigation.

For Petitioner : Mr.C.D.Johnson
for M/s.R.Karthik

For Respondent : Mr.A.Gopinath
Government Advocate (Cr1. Side)

ORDER

The petitioner who was arrested on 02.06.2021 and remanded to judicial custody on 03.06.2021 for the offence under Sections 294(b), 332, 353, 307, 506(2) of IPC and Section 25(1)(b) of the Arms Act of 1959, in Cr.No.524 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the special task force received information that the petitioner who is the accused in various criminal cases was travelling in a car with dangerous weapons including gun. On 01.06.2021, the team tried to apprehend the petitioner from Kelampakkam area, however, the petitioner escaped. Whiles, on 02.06.2021, a BMW car bearing Registration No.TN.09, CC.3057 was travelling near Porur Bridge towards Karappakam in a suspicious manner. Hence, the law enforcing agency made the check

and the above said car driven by the petitioner tried to drive away by thrashing the barricades, however, the car lost its control and hit the left side of the bridge and stopped. At that time the petitioner fired with the gun and the law enforcing agency sustained injury. Thereafter, the petitioner tried to escape from the scene and jumped from the bridge by abusing the law enforcing agency and sustained injuries in his hand and leg. Hence, he could not move and the law enforcing agency nabbed the petitioner and recovered Gun and 7 bullets and the present case was registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner was involved in many criminal cases between the years 2012 and 2015, however, thereafter he was not involved in any case and was running a peaceful life. On the fateful day the law enforcing agency entered the house of the petitioner and attacked the petitioner brutally and secured the petitioner and seized the vehicles. The learned counsel further submitted that the petitioner's father already sent petition to the Human Rights Commission for taking action against the illegal act of the law enforcing agency.

4.The learned counsel appearing for the petitioner further submitted that the petitioner did not involve in any crime, however, his hands and legs were broken. He further submitted that there are no laceration injuries and that itself shows that the law enforcing agency has attacked the petitioner with ulterior motive. He further prayed that the law enforcing agency may be directed to produce the CC TV footage of the petitioner's house. Accordingly, he prayed for grant of bail to the petitioner.

5.The learned Government Advocate (Crl. Side) submitted that there are 31 previous cases as against the petitioner out of which 12 cases ended in acquittal and maximum cases were registered for the offence under Section 302 of IPC. He further submitted that the petitioner is repeatedly involved in illegal activities and hence, if he is enlarged on bail it will be un-safe to the general public.

6.Considering the facts and circumstances of the case, the number of previous cases registered against the petitioner and the fact that Gun and bullets were recovered from the petitioner, I am not inclined to grant bail to the petitioner.

7.This criminal original petition is accordingly dismissed.

-sd/-
21/06/2021

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
R-9, VALASARAVAKKAM POLICE STATION,
CHENNAI.

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

CRL OP.10676/2021

Date :21/06/2021

cs 12/07/2021

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