

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.01.2021

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.20245 of 2020

Santhosh Kumar

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Virugambakkam Police Station,
Chennai District.
(Crime No.536 of 2020).

.... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of their
arrest in Crime No.536 of 2020 on the file of Virugambakkam Police
Station, Chennai District.

For Petitioner : Mr.D.Magesh

For Respondent : Mr.C.Iyyappa Raj
Additional Public Prosecutor

O R D E R

(This Case has been heard through Video Conferencing)

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Section 392 IPC
in Crime No.536 of 2020 on the file of the respondent police, seeks
anticipatory bail.

2. The case of the prosecution is that the petitioner along with
other accused had snatched a cell phone from the defacto complainant.
Hence, the complaint.

3. The learned counsel for the petitioner would submit that this
is third application for anticipatory bail and the earlier
application was dismissed on 30.09.2020 in Cr1.O.P.No.15438 of 2020.
He would submit that the petitioner is an innocent and that is the
reason that the respondent is not effecting arrest and that A1 and A2
have been detained under Act 14 of 1982. Hence, he prays for grant
of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would vehemently oppose the petition stating that it is a case where the petitioner along with A1 and A2 committed robbery of 3 cell phones from three persons/victims including the defacto complainant. He further submitted that when the earlier application was listed before this Court, the respondent opposed the anticipatory bail stating that the custodial interrogation of the petitioner was very much required for conducting identification parade and thereby, this Court dismissed the earlier application. He would submit that there is no change in circumstances and he would reiterate that the custodial interrogation of the petitioner is very much required.

5. Taking into consideration the submissions made by the learned Additional Public Prosecutor that the custodial interrogation of the petitioner is very much required and there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/01/2021

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 POLICE OF POLICE,
VIRUGAMBAKKAM POLICE STATION,
VIRUGAMBAKKAM, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.20245/2020

Date :08/01/2021

cs 25/01/2021