

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fifth day of January Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.20993 of 2020

SEENU @ MATTUKARA SEENU @ SIVANESAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
WALAJAPET POLICE STATION,
VELLORE DISTRICT
(REF CRIME NO. 42/2019)

[RESPONDENT]

For Petitioner : M/S. G.SOMASEKAR Advocate

For Respondent : M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

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 16.12.2020 for the alleged offence punishable under Sections 279, 304(A), 379, 430 of IPC r/w Section 21(1) of M & N (D & R) Act, in Crime No.42 of 2019, seeks bail.

2. There are totally two accused in this case and the petitioner is A1. The case of the prosecution is that the petitioner and another accused had indulged in transporting three units of river sand in a Tipper Lorry and while the respondent police stopped the vehicle, the driver of the vehicle had driven the vehicle in a rash and negligent manner and caused the death of a person. Hence, the crime has been registered and the petitioner was arrested and remanded to judicial custody on 16.12.2020.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody since 16.12.2020. Hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor would submit that the petitioner is an habitual offender and he had indulged in theft of three units of river sand and while the police stopped the vehicle, the driver of the vehicle had driven the vehicle in a rash and negligent manner and thereby caused death of a person. The petitioner is having six previous cases. Hence, she vehemently
opposed for grant of bail to the petitioner.

5. Considering the submission made by the learned Additional Public Prosecutor that the petitioner is an habitual offender, and while committing offence of sand theft, the driver of the vehicle had driven the vehicle in a rash and negligent manner and caused death of a person, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

25/01/2021

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 OFFICER INCHARGE,
SUB JAIL, WALAJAPET,
VELLORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
WALAJAPET POLICE STATION,
VELLORE DISTRICT

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

CRL OP.20993/2020

Date :25/01/2021

RVR 05/02/2021