



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of December Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN
CRIMINAL ORIGINAL PETITION No.25840 of 2021

G.RAJESH

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
T-11, THIRUNINDRAVUR POLICE STATION,
CHENNAI-602024.
CRIME.NO.1235/2021

[RESPONDENT]

For Petitioner : M/S.V.JAYACHANDRAN Advocate

For Respondent : MR. S.SUGENDRAN, Govt. Advocate (CrI. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 04.12.2021 for the offences under Sections 341, 323, 397, 506(ii) of IPC in Crime No.1235 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner along with other accused wrongfully restrained the defacto complainant and threatened and robbed a sum of Rs.3,200/- from him. Hence, the complaint.

3. The learned Counsel 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 would further submit that the co-accused has been granted bail by the lower Court and there is no overt act as against the petitioner and that he has been suffering incarceration for more than 25 days from 04.12.2021 and would pray for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner is arrayed as A2 and he is a history sheeter and that he has got one previous case for the offence under Section 302 IPC. Hence, if he is released on bail, he would again involve in the same type of offence.

5. Heard the learned Counsel for the petitioner and learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials on record.

6. In view of the fact that the petitioner is a history sheeter and involved in a case for the offence under Section 302 IPC which is pending trial, and if he is released on bail, he would again involve in same nature of offence. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
29/12/2021

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,
T-11, THIRUNINDRAVUR POLICE STATION,
CHENNAI-602024.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S.V.JAYACHANDRAN Advocate on payment of necessary charges

CRL OP.25840/2021

Date :29/12/2021

INBA-04/01/2022