



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.6151 of 2021

Vigneshwaran

... Petitioner/Accused No.1

Vs

State rep.by,
The Inspector of Police,
Nilakottai Police Station,
Dindigul District
(Crime No.72 of 2021).

... Respondent/Complainant

For Petitioner : Mr.S.Loganathan,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

PETITION FOR **BAIL** Under Sec.439 of Cr.P.C.

PRAYER :-

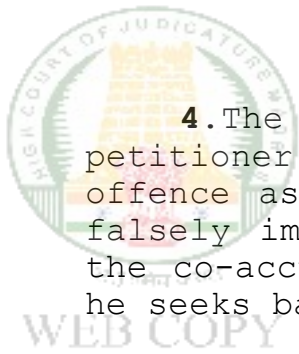
for Bail in Crime No.72 of 2021 on the file of the respondent police .

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested for the offence punishable under Sections 397 of IPC in Crime No.72 of 2021 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police.

3. It is seen from the submissions made that on 22.03.2021, at about 02.00 a.m., when the defacto complainant was coming by Lorry bearing Registration No.TN-67-X-0042, loading with paint buckets, near Sembatti-Nilakottai Road, he was intercepted by one Omni car. Six persons came out of the said Omni Car and they threatened him at knife point. They have also snatched the paint buckets worth of Rs.20,000/-, attacking the defacto complainant in his right neck. Hence, the complaint.



4.The learned counsel for the petitioner submitted that petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case. He further submitted that the co-accused has been released on bail in this case. Therefore, he seeks bail.

5.The learned Government Advocate (criminal side), on instructions, strongly opposes this petition on the ground that the petitioner is having two similar cases pending against him.

6.The submission of the learned counsel for the petitioner that the co-accused has been released on bail is not a ground for automatic grant of the bail order. Considering the facts and circumstances of this case, the fact that the petitioner is the first and prime accused, he has 2 similar previous cases pending and the investigation in this case is pending, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
29/04/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE INSPECTOR OF POLICE,
NILAKOTTAI POLICE STATION, DINDIGUL DISTRICT.
- 2.THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6151 of 2021
Date :29/04/2021

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PK/AKM/SAR-III/21.05.2021 : 2P/4C

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