



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Seventh day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1655 of 2022

BABUM MIAYAK

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR DISTRICT
(CR NO.1993/2021)

[RESPONDENT]

For Petitioner : M/S.K.MYILSAMY Advocate

For Respondent : MR.A.GOKULAKRISHNAN Additional Public Prosecutor

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 20.12.2021 for the offences under Sections 364(A), 365 and 506 (ii) of IPC, in Crime No.1993 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 19.12.2021 at about 10 a.m., when the defacto complainant along with his friend Sibasagu was going, the petitioners along with other accused who came in a car posed themselves as police and asked them to get into the car. When the same was questioned by the defacto complainant, they assaulted them and threatened to kill them and forcibly took the said Sibasagu in the car and escaped. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and his name



is not found in the FIR and that he has been falsely implicated in this case and the petitioner has been suffering incarceration for about 40 days from 20.12.2021. Hence, he would pray for grant of bail to the petitioner.

WEB COPY

4. The learned Additional Public Prosecutor would raise strong objection stating that a gang of persons are involved in this case and the accused were caught red handed in this case and that he has got one previous case of same nature. Further, the petitioner belongs to Tripura State and if he is released on bail, there is every possibility of the petitioner getting abscond and thereby, the investigation would be stalled.

5. On seeing the gravity of offence and the fact that a gang of persons are involved in this case and that the case needs a detailed investigation. Further, the petitioner belongs to Tripura State and if he is released on bail, there is every possibility of the petitioner getting abscond and tampering the evidence. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

27/01/2022

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,
PALLADAM POLICE STATION,
TIRUPPUR DISTRICT.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, TIRUPPUR.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.MYILSAMY Advocate on payment of necessary charges

CRL OP.1655/2022

Date :27/01/2022

CSK 07/02/2022