



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventh day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2808 of 2022

SIVA @ PONDUR SIVA

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
C-1 SRIPERUMBUDUR POLICE STATION,
KANCHEEPURAM DISTRICT.
CRIME NO.1390/2021.

For Petitioner : M/S.SWAMI SUBRAMANIAN Advocate

For Respondent : Mrs.G.V.KASTHURI, 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 05.01.2022 for the offence under Sections 294(b), 323, 397, 307 and 506(ii) of IPC, in Crime No.1390 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 11.12.2021 at about 5 p.m., the petitioner along with two other accused, threatened the defacto complainant who is working in a scrap iron shop and demanded mamool and when the defacto complainant refused the same, the accused abused him in filthy language and also attacked him and robbed a sum of Rs.20,000/- from him. Further, they threatened the defacto complainant with dire consequences to pay a sum of Rs.50,000/- every month as mamool. 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 due to business motive. He would further submit that the petitioner is in judicial custody from 05.01.2022 and would pray for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor raised strong objection stating that the petitioner/A3 is a history sheeter and he has got 9 previous cases and if he is released on bail, he may again involve in some other offence.

5. The submissions made by the learned Counsel on either side is considered.

6. It is seen that the petitioner is a history sheeter and he has got 9 previous cases. Considering the antecedents of the petitioner, this Court is of the opinion that if such accused is released on bail, he may again involve in another offence. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

07/02/2022

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 OFFICER INCHARGE,
SUB JAIL, KANCHEEPURAM.

2 THE INSPECTOR OF POLICE,
C-1 SRIPERUMBUDUR POLICE STATION,
KANCHEEPURAM DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.SWAMI SUBRAMANIAN Advocate on payment of necessary charges

CRL OP.2808/2022

Date :07/02/2022

RW 14/02/2022