



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

Friday, the Eighteenth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN
CRIMINAL ORIGINAL PETITION No.3984 of 2022

GIRI

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

INSPECTOR OF POLICE,
THANDRAMPET POLICE STATION,
THIRUVANNAMALAI.
(CRIME NO.2794 OF 2020)

For Petitioner : M/S.M.SELVAM Advocate

For Respondent : M/s.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 20.12.2020 for the offences punishable under Sections 460, 395 r/w 397 of IPC, in Crime No.2794 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 19.12.2020, the petitioner and other accused trespassed into the house of the de facto complainant and attacked his family members, threatened and committed robbery. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the respondent police herein, previously detained the petitioner under Goondas Act and as of now, the same has been set aside by this Court. It is his specific submission that the petitioner is in judicial custody from 20.12.2020 onwards. Hence, he prays for bail.

4. The learned Additional Public Prosecution appearing for the respondent police raised objection stating that the petitioner is having previous cases in similar nature. She would further submit that, as of now, investigation has been completed and charge sheet



has also been filed in Sessions Case No.130 of 2021 before the learned Principal District and Sessions Judge, Thiruvannamalai.

5. Considered the submissions made by the learned counsel appearing on either side. Though, the investigation in this case has been completed, the petitioner is an accused in the following 9 cases;

Sl.No.	Crime Number	Section
1.	1235/2014	394 IPC
2.	49/2019	395 IPC
3.	712/2018	395, 397, 457 IPC @ 109, 395, 397, 457 IPC
4.	658/2012	392 IPC
5.	655/2012	394, 397 IPC
6.	647/2012	324, 448 IPC, 109, 294(b), 307, 324, 448 IPC r/w 4 of TNPWH Act
7.	45/2014	379 IPC
8.	191/2014	302 IPC
9.	2794/2020	460, 395 r/w 397 IPC

6. Therefore, considering the number of cases pending against the petitioner, this Court came to the conclusion that if this type of petitioner is released on bail, he may try to tamper the witness and also try to abscond from the clutches of law.

7. Therefore, taking into consideration of the fact that the petitioner is an habitual offender, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition is dismissed. However, learned Principal District and Sessions Judge, Thiruvannamalai, is directed to dispose of the case in S.C.No.130 of 2021, within a period of 5 months from the date of receipt of a copy of this order.

-sd/-

18/02/2022

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.



1 PRINCIPAL DISTRICT AND SESSIONS JUDGE,
THIRUVANNAMALAI,

2 THE OFFICER INCHARGE,
SUB PRISON, TIRUVANNAMALAI DISTRICT.

3 INSPECTOR OF POLICE,
THANDRAMPET POLICE STATION,
THIRUVANNAMALAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.SELVAM Advocate on payment of necessary charges
Sr.2707

CRL OP.3984/2022

Date :18/02/2022

RVR 24/02/2022