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CrI.O.P.No.29267 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 23.10.2022 for the offences punishable under Sections 147, 148, 341, 294(b), 506(ii), 427, 394 & 397 of IPC, in Crime No.233 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant Soundarapandian is that on 21.10.2022, around 11.00 p.m., while he was on the way to his work in his two wheeler, 6 persons who were coming in 2 two wheelers waylaid him and by assaulting him with knife, caused injury in his ear and robbed his cell phone. Thereafter, while the de-facto complainant was going to take treatment, he had seen another two persons on his way, from whom also the accused have committed robbery on the same day. Hence the case.



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3. Learned counsel for the petitioner submitted that the petitioner, aged about 19 years, is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner was arrested only based on the confession statement recorded from the other accused. He also stated that that petitioner is in custody from 23.10.2022 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner, who is arrayed as A2 in this case, is an habitual offender against whom 3 previous cases including the offence under Sections 302 & 307 IPC are pending. He further submitted that as far as this case is concerned, on 21.10.2022, the petitioner along with the other accused have waylaid the de-facto complainant and other two persons and by assaulting them, had committed robbery. He also submitted that the accused have been caught on the spot by the respondent Police, who were on their usual rounds. He also stated that the investigation is pending. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that 3 previous cases including the offence under Sections 302 & 307 IPC are pending against the petitioner, this Court is not inclined to grant bail to the petitioner for the present.

6. Accordingly, this Criminal Original Petition stands dismissed.

29.11.2022

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