



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 28/06/2022

WEB COPY

PRESENT

The Hon'ble Mr. Justice G.ILANGO VAN

Cr1.OP(MD)No.10495 of 2022

Ramki @ Ramakrishnan

... Petitioner/Accused No.1

Vs.

The State of Tamil Nadu,
Rep. By The Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District.
(Crime No.293 of 2021)

... Respondent/Complainant

For Petitioner : Mr.C.K.M.Appaji, Advocate

For Respondent : Mr.P.Kottai Chamy

Government Advocate (Cr1. Side)

PETITION FOR BAIL under Sec.439 of Cr.P.C

PRAYER:-

For Bail in Crime No.293 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as A1 was arrested on 08.04.2022 and remanded to judicial custody for the offences under section 394 IPC, in Crime No.293 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 18/03/2022 the de-facto complainant, who is an employee of the petrol bunk, was attending duty at night hours. At that time, the petitioner along with the co-accused, after filling the petrol, attacked him with aruval and robbed Rs.15,000/-.

3.Seeking bail, this petition has been filed on the ground that even as per the allegation, that has been made in the FIR, no specific overtact has been made against him. Except accompanying the co-accused, he is not involved in the robbery assault.

4.Heard both sides.

5.Reading of the FIR shows that one of the persons alleged to have caused assault with aruval and another person snatched away the



money and all the accused persons fled away from the place of occurrence by a motor bike. The confession statement of the petitioner has been recorded, wherein he has implicated the co-accused for the assault. Since, assault has been made on the de-facto complainant during the course of robbery, considering the antecedents of the petitioner, I am of the considered view that if the petitioner is released on bail, there is every possibility to him for absconding. He is having six cases to his credit. Among them, one case for the offence under sections 302 and 307 IPC and one case under NDPS Act case, are pending against him.

6. Even though, the petitioner is in custody for more than 60 days, considering the antecedents of the petitioner, he is not entitled for bail, since the co-accused has not been arrested so far. So, this criminal original petition is **dismissed**.

Sd/-

28/06/2022

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/ /2022

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

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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,
KALUGUMALAI POLICE STATION,
THOOTHUKUDI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.10495 of 2022

Date : 28/06/2022