



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.10724 of 2022

Esakkiraja @ Esakki

... Petitioner/Accused No.3

Vs

State rep.by
The Inspector of Police,
Cantonment Police Station,
Trichy City.
(Crime No.761/2022).

... Respondent/Complainant

For Petitioner : M/s.Arunraj K, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Cr.No.761/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who was arrested on 17.05.2022 for the alleged offences under Sections 392 r/w 397 of IPC, in Crime No.761 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 05.05.2022, at about, 07.30 p.m, when the defacto complainant was standing near the TVS Toll Gate, the accused persons came there. At the point of knife, he was threatened to hand over the money. One of the person pressed the knife in his neck. Other persons robbed a sum of Rs.1 lakh. 1 mobile phone and 3 ATM Cards from him. On the basis of the complaint, case has been registered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution.



4.The learned Government Advocate (Crl.Side) would submit that only this petitioner was arrested and remanded and from him, Rs.10,000/- and a mobile phone were recovered. Apart from that 3 ATM Cards not yet recovered. He further submitted that the petitioner is involved in Crime No.201 of 2021 under Sections 295 and 447 of IPC and Crime No.120 of 2022 under Sections 294(b), 323 and 379 of IPC. It appears that after came out of bail in the above said two cases, he has committed another heinous offence.

5.Considering the facts and circumstances of the case and also considering the fact that even though the petitioner is in custody for more than 53 days, this Court is not inclined to grant bail since the balance amount has not yet been recovered.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
08/07/2022

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/07/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

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,
CANTONMENT POLICE STATION,
TRICHY CITY.
2. THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.10724 of 2022
Date :08/07/2022