



Crl.O.P.No.20845 of 2023

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G.CHANDRASEKHARAN.J.

The petitioner, who was arrested and remanded to judicial custody on 07.07.2023 for the offences punishable under Sections 341, 294 (b), 336, 397, 506 (2) I.P.C, in Crime No.279 of 2023 on the file of the respondent, seeks bail.

2.It is the submission of the learned counsel for the petitioner that petitioner is falsely implicated as accused in Crime No.279 of 2023 for the offence under Sections 341, 294 (b), 336, 397, 506 (2) I.P.C. In support of his submission, he produced copy of the First Information Report in Cr.No.307 of 2022 registered by the same respondent for the offences under Sections 147, 148, 341, 294 (b), 336, 397, 506 (2) I.P.C. The allegations made in both the First Information Report are almost same. It is the intention of the respondent Police to keep the petitioner under the judicial custody always. Therefore, they are repeatedly registering false cases against the petitioner. Petitioner is in judicial custody from 07.07.2023.

Thus, he prays for grant of bail.



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3. In response, learned Additional Public Prosecutor submitted that petitioner is habitual offender. On 07.07.2023, at about 05.00 p.m., when defacto-complainant was coming near Mundakaniamman Koil Railway station, the accused had asked to pay money for consumption of alcohol. When defacto-complainant informed that he has no money, petitioner showing the knife forcibly taken Rs.2000/- from defacto complainant's pocket. Then, he also made criminal intimidation against the defacto complainant and others. He has 16 previous cases pending. The details are as follows.

<i>Police Station & Crime No.</i>	<i>Offence</i>
E1 Mylapore Police Station 831/2003	147, 148, 341, 324, 326, 302, 506(ii) of IPC
E1 Mylapore Police Station 752/2004	341, 384, 506(ii) of IPC
E1 Mylapore Police Station 827/2004	341, 324, 506(ii) of IPC
E1 Mylapore Police Station 859/2004	341, 324, 307, 336, 427 of IPC
E5 Foreshore Estate Police Station 408/2007	307 of IPC
E1 Mylapore Police Station 1197/2007	341, 324 of IPC
E3 Teynampet Police Station 233/2006	147, 148, 341, 324, 326, 302, 506(ii) of IPC



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<i>Police Station & Crime No.</i>	<i>Offence</i>
E4 Abhiramapuram Police Station 3185/2015	224 of IPC
E1 Mylapore Police Station 707/2018	294(b), 385, 506(ii) of IPC
E1 Mylapore Police Station 79/2020	324, 506(ii) of IPC
E1 Mylapore Police Station 1102/2020	294(b), 336, 427, 397, 506(ii) of IPC
E1 Mylapore Police Station 1104/2020	8(c) r/w 20(b)(ii)(B) NDPS Act
E1 Mylapore Police Station 1341/2020	294(b), 336, 427, 397, 506(ii) of IPC
E1 Mylapore Police Station 1019/2021	341, 147, 148, 324, 302, 506(ii) of IPC
E1 Mylapore Police Station 307/2022	147, 148, 341, 294(b), 336, 397, 506(ii) of IPC
E1 Mylapore Police Station 140/2023	341, 294(b), 336, 397, 506(ii) of IPC

Hence, he opposed this petition.

4. In reply, the learned counsel for the petitioner submitted that out of 16 cases pending, 6 cases ended in acquittal and one case ended in conviction and remaining cases are still pending.

5. Considered the rival submissions and perused the records.



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6. It is seen from the list of pending cases registered, cases under Sections 324, 302 IPC and other provisions of Cr.P.C and under NDPS Act are still pending.

7. Thus, it is seen that petitioner is a habitual offender involved in several criminal offences. Investigation in this case is not completed. In the said circumstances, this Court is of the view that if the petitioner is released on bail, he may indulge in committing similar offences. In such circumstances, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

12.09.2023

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