



Crl.O.P.No.21976 of 2023

Orders Reserved on
26.09.2023

Orders Pronounced on
29.09.2023

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RMT. TEEKAA RAMAN., J.

The petitioner who is arrayed as A.5 apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 364-A, 387, 342, 392, 506(2) of Indian Penal Code, 1860 and Section 25 (1)(a) of Arms Act, 1959, registered in Crime No.373 of 2023, seeks anticipatory bail.

2(i) FIR is based on a complaint of one Mr.Jayaprakash. The allegation in the FIR is that the De-facto Complainant is running a civil construction contract along with transport business. The De-facto Complainant is a member of the Congress political party and is holding the post of District Secretary in the Thiruvallur, North District. The de-facto complainant has alleged that on 06.02.2023 at around 11.00 am in Minjur, Kondakarai IOCL construction site, Accused A2, one Achuthan belonging to Pattamandiri and Accused A3-A6, namely, Selva, Pugazh, Naresh and Nanda, belonging to Kondakarai, entered the premises in a car and three two wheeler vehicles and threatened the Complainant.



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2(ii) It is further alleged that A2 and A3 forcefully took the De-facto Complainant to a Housing Board flat in Vyasarpadi, where A.1 named Aswathaman threatened the De facto Complainant to give him mamol on a monthly basis. The De-facto Complainant refused to accept to the terms of A.1. Agitated by the same, A1 threatened the De facto Complainant with a pistol. Thereafter the other people with A-1 forcibly took Rs.10,000/- and his mobile phone and later returned the mobile phone alone. Thereafter A1's henchmen dropped the De-facto Complainant in IOCL.

3. The learned counsel for the petitioner submitted that there is no allegations of any wrong doing against the petitioner; that the petitioner has not been issued with any summons under Section 41-A of Cr.P.C. And no enquiry has been conducted and the petitioner undertakes to co-operate with the investigation.

4. The learned Government Advocate (crl.side), would contend that A.1 to A4 were arrested and the petitioner and A.6 are absconding; that charge sheet has been filed in Ambattur court and it is a case of extraction of money at the gun point from the civil contractor of Indian Oil Corporation



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Limited; that the petitioner has taken away cash Rs.10,000/- from the defacto complainant and ask to pay mamool every month; that the petitioner is involved in one previous case of similar nature wherein charge sheet has been filed before the Ambattur Court and the investigation is in the preliminary stage.

5. Heard the learned counsel for the petitioner as well as the Government Advocate (crl.side) and perused the records.

6. Considering the nature and gravity of the offence and the specific overtact attributed against the petitioner; that the petitioner has previous antecedents of similar nature and that the investigation is in the preliminary stage, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

29.09.2023

rgr



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