

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2020

CORAM

THE HONOURABLE MR.JUSTICE. **G.K.ILANTHIRAIYAN**

CrI.O.P.No.7487 of 2020

1.Senthamizhselvan @ Selvam,
S/o. Kaliyaperumal,
Jeyankondapatnam,
Chidambaram Taluk,
Cuddalore District.

2.Babu @ Murder Babu,
S/o. Sakthivel,Manroad,
Annamalainagar,
Chidambaram Taluk,
Cuddalore District.

... Petitioners

Vs.

State by
The Station House Officer,
Annamalainagar Police Station,
Cuddalore District.
(Crime No.63 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C, to enlarge the petitioners on bail in Crime No.63 of 2020 on the file of the Station House Officer, Annamalainagar Police Station, Cuddalore District.

For Petitioners : Mr.R.Silambarasan
For Respondent : Mr.Mohammed Riyaz
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 18.03.2020 for the offence under Sections 341, 294(b), 392, 397, 506(ii) IPC in Crime No.63 of 2020 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioners waylaid the defacto complainant, snatched a sum of Rs.2,200/- and 2 ½ sovereigns of gold chain and also abused and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are no way connected with the offence as alleged by the prosecution. He further submitted that the first petitioner already moved bail petition by engaging another counsel and the same has been dismissed by this Court by an order dated 07.05.2020 in CrI.O.P.No.7456 of 2020. Therefore, he seeks permission of this Court to withdraw this petition insofar as the first petitioner is concerned. As far as the second petitioner is concerned, he is in judicial custody from 18.03.2020 and hence, he seeks bail for the second petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioners waylaid the defacto complainant, snatched a sum of Rs.2,200/- and 2 ½ sovereigns of gold chain and also abused and threatened him with dire consequences. He further submitted that already this court dismissed the bail petition filed by the first petitioner by an order dated 07.05.2020 in CrI.O.P.No. 7456 of 2020. Hence, he vehemently opposed for grant of bail to the petitioners.

5. Considering the submission made by the learned counsel appearing

for the petitioners, as far as the first petitioner is concerned, this petition is dismissed as withdrawn.

6. As far as the second petitioner is concerned, he committed robbery on the defacto complainant. Now the Government of Tamil Nadu is in lock down due to Covid-19 virus. If the lock down is lifted, there would be more chances for these kinds of crimes, since the individual income is suffered due to the lock down. Therefore, if the second petitioner is let out on bail, there is a huge possibility for increasing similar kind of crimes.

7. Considering the above facts and circumstances of the case and the fact that the bail petition filed by the co-accused is dismissed and also of the fact that the investigation is pending, this court is not inclined to enlarge the petitioners on bail.

8. Accordingly, this Criminal Original petition is dismissed.

08.05.2020

Index: Yes/No

Internet: Yes/No

Speaking order/Non Speaking order

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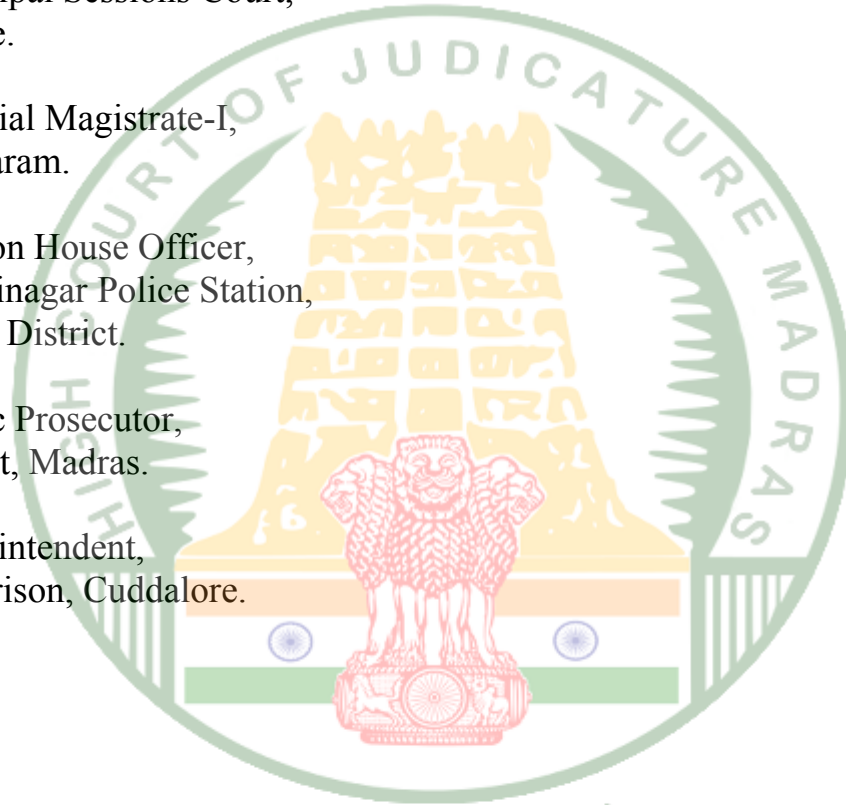
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G.K.ILANTHIRAIYAN, J.

mpa

To

1. The Principal Sessions Court,
Cuddalore.
2. The Judicial Magistrate-I,
Chidambaram.
3. The Station House Officer,
Annamalainagar Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.
5. The Superintendent,
Central Prison, Cuddalore.



सत्यमेव जयते

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