

CRL.O.P.No.18669 of 2016**S.VAIDYANATHAN, J.**

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324, 341 and 506(ii) IPC in Crime No. Not known of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the defacto complainant's brother is the erstwhile driver of A1, and, A5 is the present driver of A1. The defacto complainant abused A5 alleging that he is responsible for his brother losing the job with A1. Thereafter, these petitioners, under the influence of alcohol assaulted the defacto complainant, resulting in the registration of a case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that the first petitioner and the brother of the defacto complainant involved in one previous case filed u/s.302 IPC and both of them were arrested. He further submitted that the defacto complainant's brother was taken to custody because of the bad company of the first petitioner. Thereafter, when the defacto complainant questioned the first petitioner about the same and sought help to get bail, wordy quarrel arose between them. Other petitioners are hooligans and

they came and

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attacked the defacto complainant with a wooden log and caused grievous injury and still the victim is in hospital.

5. Considering the facts and circumstances of the case and taking note of the fact that the first petitioner is having several previous cases against him, out of which, one is under Section 302 IPC, and that first petitioner is said to have conspired with the brother of defacto complainant and committed many offences and the brother of the defacto complainant was arrested and thereafter, released on bail. Subsequently, the brother of the defacto complainant, due to the company of the first petitioner, has involved in several cases and when this was questioned by the defacto complainant, the first petitioner along with other hooligans assaulted the defacto complainant and that, this Court feels that custodial interrogation of the petitioners is required at this stage. Hence, this petition is dismissed.

26.08.2016

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