

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Nineteenth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.7032 of 2017

1 R.SARAVANAKUMAR [PETITIONERS / ACCUSED]
2 R.S.MAHALINGAM
3 R.RAMASAMY

Vs

1 THE COMMISSIONER OF POLICE, [RESPONDENTS]
O/O. THE COMMISSIONER OF POLICE,
TITUPPUR DISTRICT,
TIRUPPUR.

2 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TIRUPPUR, TIRUPPUR DISTRICT,
CR.NO. NOT KNOWN/2017.

For Petitioner : M/S.M.SENTHILKUMAR Advocate

For Respondent : MR. R.SEKAR, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the alleged offence under Sections 406, 420 and 506(i) of IPC in Crime No.not Known of 2017 (C.No.52 of 2017) on the file of the respondent police, and seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with others on a wordy quarrel had attacked the defacto complainant and hence, a case has been registered.

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

4. The learned Government Advocate (Crl.Side) submitted that petition enquiry is pending in this case and C.No.52/CCB/TPC of 2017 is assigned in the complaint against the petitioners herein.

5.Considering the facts and circumstances of the case, and taking into account that petition enquiry is pending and C.No.52 of 2017 is assigned, I am not inclined to grant anticipatory bail to the petitioners. However, I am inclined to give a direction to the respondent not to harass the petitioners under the guise of petition enquiry. The respondent is directed to follow the dictum laid down in ***D.K.Basu Vs. State of West Bengal*** reported in ***AIR (1997) SC 610***. The petitioners are directed to appear before the respondent police as and when required for interrogation and cooperate with the enquiry. The respondent Police is also directed to conduct enquiry and dispose of the matter as expeditiously as possible, preferably within a period of three weeks from the date of receipt of a copy of this order.

6.With the above direction, the above Criminal Original petition is disposed of.

-sd/-
19/04/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE COMMISSIONER OF POLICE,
O/O. THE COMMISSIONER OF POLICE,
TIRUPPUR DISTRICT,
TIRUPPUR.

2 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
TIRUPPUR, TIRUPPUR DT,

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.SENTHILKUMAR Advocate on payment of necessary charges SR NO.7310

CRL OP.7032/2017

Date :19/04/2017

MK:21/04/2017