

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

Friday, the Nineteenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL ORIGINAL PETITION No.1327, 1328, 1353 & 1355 of 2018

R.GURU PRASAD

[PETITIONER / ACCUSED
IN ALL THE PETITIONS]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
THALAMBUR POLICE STATION,
KANCHEEPURAM DISTRICT.
CR.NO.115, 407 OF 2017.

[RESPONDENT
IN CRL.OP.NOS.1327 & 1328 OF 2018]

THE STATE REP BY
THE INSPECTOR OF POLICE,
SELAIYUR POLICE STATION,
KANCHEEPURAM DISTRICT.
CR.NOS.1448 & 1443 OF 2017.

[RESPONDENT
IN CRL.OP.NOS.1353 & 1355 OF 2018]

For Petitioner : M/S.D.JAYASINGH Advocate
[IN ALL THE PETITIONS]

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR
[IN ALL THE PETITIONS]

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

ORDER : The Court Made the following order :-

All these petitions have been filed by the petitioner apprehending arrest from the respondent police.

2. I have heard Mr.Selvaraj, learned counsel appearing for the petitioner. According to him, the petitioner had already met with an accident and because of that he cannot easily walk and run. Therefore, he is already running a telephone booth in his locality for his livelihood. According to the petitioner, in the nearby area of the petitioner one Selvamani allegedly involved in illegal activities of immoral traffic and therefore, the petitioner warned that Selvamani that if this kind of illegal activities continued in the locality, he will report to the police. According to the petitioner, taking revenge of that, the said Selvamani came along with rowdy elements smashed and damaged the properties belongs to the petitioner on 12.09.2017. Out of fear, the petitioner on 12.09.2017 moved from his house and stayed at his grandma's house. However, on 13.09.2017, the concerned Inspector of Police, according

to the petitioner, came to the petitioner at his grandma's house and registered cases both at Selaiyur police station as well as at Thalambur Police Station stating that one Venkatesan, Ramalingam and Baskar had given complaints against the petitioner for alleged offences under Sections 448, 294(b), 324, 506(ii) of IPC, on four different occasions on the same day i.e., on 13.09.2017.

3. In view of the said four cases having been filed against the petitioner at the instance of the complaints said to have been given by one Venkatesan, Baskar and Ramalingam, the petitioner apprehends arrest at the hands of the respondent police and therefore, he has moved these petitions.

4. I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

5. Learned counsel for the petitioner submits that, on 06.01.2018, the petitioner has given a detailed complaint about the unlawful and illegal act of the said Selvamani and also the involvement of the respondent police. The said complaint had been given to the Secretary to Government, Home Department and the Director General of Police and other Police officials including the Deputy Commissioner of Police, St. Thomas Mount Police Station. On reading of the said complaint given by the petitioner, it reveals certain shocking information and as such it reveals a very serious allegations against the concerned police officials attached with the said two police stations i.e., Seliyur and Thalambur Police Stations.

6. In view of the aforesaid complaint given by the petitioner which discloses prima facie that the petitioner's involvement in the alleged crime on 13.09.2017, as projected by the prosecution itself, is doubtful, and had no relevance. Since FIR had been registered against the petitioner, he has moved these petitions seeking anticipatory bail.

7. Considering the said circumstances and the serious veracity of the complaint made by the petitioner against the police officials concerned by his complaint dated 06.01.2018, this court is of the considered view that the said complaint dated 06.01.2018 given by the petitioner to the Secretary to Government, Home Department and to the Director General of Police and other police officials has to be enquired into and a report to that effect to be filed before this court by the Deputy Commissioner of Police, St, Thomas Mount Police Station, Chennai 600 060 within a period of one month from the date of receipt of a copy of this order.

8. In view of the aforesaid circumstances, this court is inclined to pass the following order:

(i) That the petitioner in the event of his arrest in all these four cases at the hands of the respondent police, shall be released on bail, on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate, Tambaram and

(ii) The petitioner shall appear before the respondent police as and when required for interrogation.

These petitions are ordered accordingly.

-sd/-
19/01/2018

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 JUDICIAL MAGISTRATE,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THALAMBUR POLICE STATION,
KANCHEEPURAM DISTRICT.

+4CC to M/S.D.JAYASINGH Advocate on payment of necessary
charges SR NOS.1296 to 1299

CRL OP.1327,1328, 1353 & 1355 OF 2018

Date :19/01/2018

MK:24/01/2018