

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18988 of 2018

1 ARAVI @ ARAVINDAN, [PETITIONERS / ACCUSED]
2 APPU @ JINDHA @ UDAYANIDHI,
3 AJITHKUMAR
4 MAHESH
5 VELMURUGAN

Vs

THE STATE OF TAMIL NADU [RESPONDENT]
REPRESENTED BY ITS INSPECTOR OF POLICE,
E2 ROYAPETTAH POLICE STATION,
CHENNAI DISTRICT.
CR. NO. 173 OF 2018.

For Petitioner : M/S.X.SELVAM SOUNDER Advocate

For Respondent : MR.SURYA ORAKASH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners were arrested on 03.07.2018 for the offence under Sections 147, 148, 294(b), 353, 333, 397, 307, 506(ii) of I.P.C. r/w 3(1) of TNPPDL Act in Cr.No.173 of 2018 on the file of the respondent police, seek bail.

2.It is the case of the prosecution that the petitioners along with the other persons were creating nuisance in the public place and on the information given by the defacto complainant who is a Police Constable attached to E2 Royapettah Police Station, the police rushed to the spot and hence, the petitioners attacked the defacto complainant.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that there is no specific overtact as against the fourth petitioner/ fourth accused.

4.The learned Government Advocate would submit that the petitioners are arrayed as A1 to A5. He would further submit that detention order has been passed as against A1, A2, A3 and A5 and nothing gives for adjudication in this petition as against

petitioners 1, 2, 3 and 5/ A1, A2, A3 and A5.

5.Insofar as the fourth petitioner/A4 is concerned, the learned Government Advocate would submit that he was very much available on the scene of occurrence and would further submit that in the said occurrence, one person was shot dead and investigation has not been completed.

6.Considering the fact that detention order has been passed as against A1, A2, A3 and A5, this petition is dismissed as against the petitioners 1, 2, 3 and 5/ A1, A2, A3 and A5.

7.Considering the fact that the fourth petitioner is one among the person who attacked the defacto complainant police and was very much available on the scene of occurrence, his act cannot be view lightly. Hence, this petition is dismissed as against the fourth petitioner/A4 also.

8.In the result, this criminal original petition is dismissed.

-sd/-

07/08/2018

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI

3 THE INSPECTOR OF POLICE,
E2 ROYAPETTAH POLICE STATION,
CHENNAI DISTRICT.

CC to M/S.X.SELVAM SOUNDER Advocate on payment of necessary charges

CRL OP.18988/2018

Date :07/08/2018