

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6252 of 2020

1 INDIRAJITH
2 VETRIVEL @ VETRI
3 DEENA @ DEENADHAYALAN
4 ABINATH @ ABISHEK
5 SATHIYASEELAN
6 IYYAPPAN

[PETITIONERS / ACCUSED]

Vs

STATE REP.BY
INSPECTOR OF POLICE,
KOTTUR POLICE STATION,
THIRUVARUR DISTRICT.
CRIME NO.68 OF 2020.

[RESPONDENT]

For Petitioner : M/S.SWAMI SUBRAMANIAN Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for alleged offences punishable under sections 147, 341, 294(b), 323, 355, 324, 379 and 506(ii) of IPC in Crime No.68 of 2020, the petitioners have come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that on 4.3.2020 at about 7.00 p.m. after completing the work, when the defacto complainant along with 3 others were returning home, at that time, they saw the 1st accused-1st petitioner fell down on the road in a drunken mood. At that time, the Accused 2 to 6/petitioners 2 to 6 came there and waylaid the defacto complainant and others on the mistaken fact that they only made the 1st accused/1st petitioner to fall on the road. Though the defacto complainant explained them, they abused them in filthy language and attacked him and his brother.

3. The learned Counsel for the petitioner submitted that the petitioners have been falsely implicated in this case by the defacto complainant with an ulterior motive.

4. The learned Additional Public Prosecutor submitted that since the petitioners 2 to 6 assaulted the defacto complainant, a case has been registered and pursuant thereto, the respondent police is searching the accused. That apart, the injured have been sent to Thiruthuraipoondi Government Hospital for treatment.

5. Having regard to the nature of the allegation levelled against the petitioner and more particularly, the fact that specific overt act has been attributed against each of the petitioner and also recording the statement of the learned Additional Public Prosecutor that since the petitioners 2 to 6 assaulted the defacto complainant, a case has been registered and pursuant thereto, the respondent police is searching the accused persons, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the anticipatory bail petition is dismissed.

-sd/-

18/03/2020

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 INSPECTOR OF POLICE,
KOTTUR POLICE STATION,
THIRUVARUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.SWAMI SUBRAMANIAN Advocate on payment of
necessary charges SR NO.5450

CRL OP.6252/2020

Date :18/03/2020

MK:16/04/2020