

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.NO.7615 of 2020

1. Andi
 2. Suseela
 3. Ponnammal Petitioners/Accused
- Nos. 2 to 4

Vs.

State rep. by
The Sub-Inspector of Police,
Kariyakovil Police Station,
Attur,
(Crime No.8 of 2020) Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C. to enlarge the petitioners on anticipatory bail in the event of arrest in Crime No.8 of 2020 on the file of the respondent.

For Petitioners : Mr.A.Sriram

For Respondent : Mr.T.Shunmuga Rajewaran,
Government Advocate.

ORDER

Apprehending arrest for the offences punishable under sections 294(b), 323, 324, 326 & 506 (ii) IPC, in Crime No. 8 of 2020, on the file of the respondent police, the petitioners/A2 to A4 have come forward with the petition seeking for Anticipatory Bail.

2. Briefly stated, according to the prosecution case, on account of the land dispute, the petitioners and A1 attacked the defacto complainant by using filthy language and it is stated that A1 attacked the defacto complainant with stone and taken away his cell phone and bit the left ear of the defacto complainant's son. The first petitioner attacked the defacto complainant and his wife with stick and the second petitioner attacked the defacto complainant's son with stone and the third petitioner pressed the private parts of the defacto complainant and threatened him with dire consequences and thus, they have committed the offences put forth against them.

3. According to the petitioners' counsel, the case has been falsely foisted against them and they have not committed the offences put forth against them and further, it is put forth that A1 had been arrested and remanded to judicial custody and also put forth that a counter case has been

lodged against the defacto complainant in Crime No.9 of 2020, on the file of the respondent police and they are ready to cooperate with the investigation in all aspects and abide with any condition that may be imposed by this Court and accordingly, prayed for the relief sought for by them.

4. Per contra, according to the learned Public Prosecutor, the nature of the accusation levelled against the petitioners and A1 are serious in nature and the investigation is still pending and also A1 is suffering incarceration and the injured persons have sustained grievous injuries and further stated that if the petitioners are granted bail, they would cause obstacles to the process of ongoing fair and free investigation and also flee from justice and therefore, strongly opposed the relief sought for by the petitioners.

5. Considering the nature of the accusation levelled against the petitioners and A1 being serious in nature, the stage of the investigation, the nature of the injuries sustained by the injured persons and the apprehension of the prosecution that the grant of pre-arrest bail in favour of the petitioners would cause obstacles to the process of fair and free investigation, not to be easily discarded, in all, at this stage of the matter, I am not inclined to grant the relief sought for by the petitioners.

T.RAVINDRAN,J

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6. For the reasons aforesated, the criminal original petition is dismissed.

15.05.2020

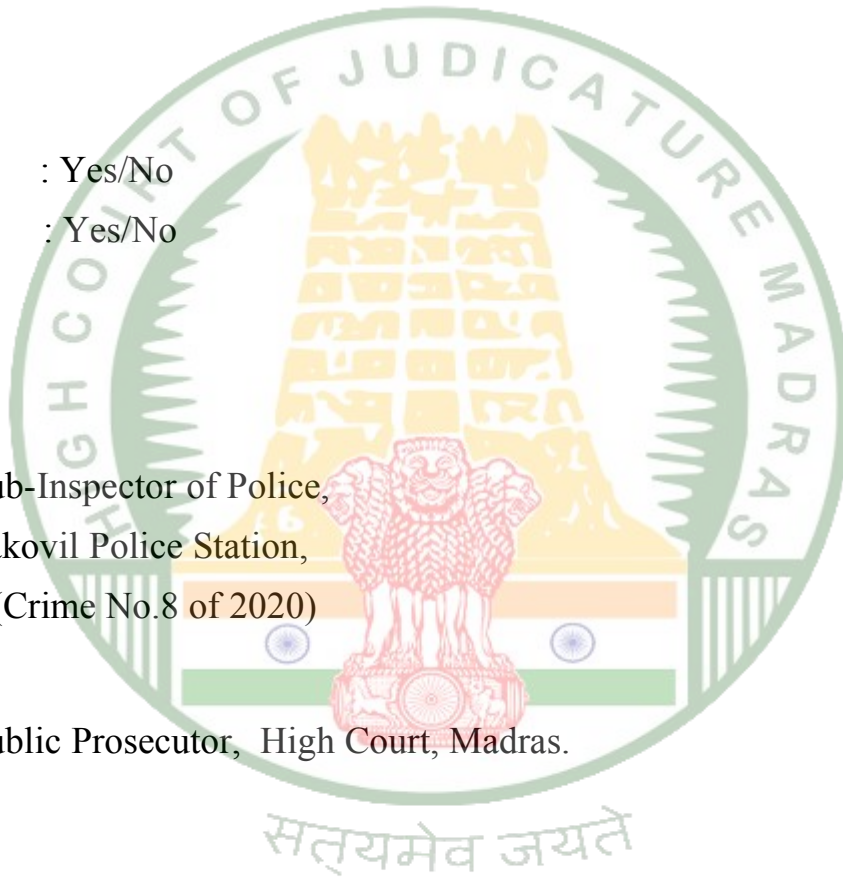
Index : Yes/No

Internet : Yes/No

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To:

1. The Sub-Inspector of Police,
Kariyakovil Police Station,
Attur, (Crime No.8 of 2020)
2. The Public Prosecutor, High Court, Madras.



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