

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.05.2020

THE HON'BLE MR.JUSTICE T.RAVINDRAN

CRL.OP.No.7616 of 2020

1. Raja
 2. R. Santhanam
 3. R. Arun Kumar
- ...Petitioners

Vs.

State represented by
Inspector of Police,
Uthukuli police station,
Tirupur ,Tirupur District.

...Respondent

Prayer: Criminal Original Petition is filed under Section 438 of Cr.PC, seeking bail to the Petitioners in the event of his arrest in Crime No.176 of 2020, on the file of the respondent police.

For Petitioner :Mr.M. SenthamizhSelvan

For Respondent : Mr.ShunmugaRejeswaran
Government Advocate (Criminal Side)

ORDER

Apprehending arrest for the offences punishable under Sections 147, 148, 427, 447, 294(b) 323, and 506 (ii) IPC, in Crime No. 176 of 2020, on the file of the respondent police, the petitioners/A6 to A8 have come forward with this petition seeking for Anticipatory Bail.

2. Briefly stated, according to the prosecution, the petitioner and 7 named accused and others, on account of dispute with defacto complainant, during the lock down period and against the restrictions imposed by the State , assembled and committed trespass into the land of the defacto complainant and when the same was questions by the security, it is put forth that the petitioners and the others had attacked the security and also damaged the fence and threatened him with dire consequences and thereby committed the offences put forth against them.

3. It is put forth by the petitioners' counsel that the case has been falsely foisted against the petitioners and no specific overt act had been attributed against them and they have not committed the offence alleged against them and ready to cooperate with the investigation and abide with the conditions that may be imposed on them by this Court and accordingly prayed for the relief sought for.

4. Per contra, it is put forth by the learned Public Prosecutor that the petitioners and the other accused have committed the alleged offence and further it is stated that the other accused as well as the petitioners are still at large and the investigation is pending and also stated that 6 motor cycles and 6 wooden logs have been recovered and therefore, according the learned Public

Prosecutor, if the petitioners are enlarged on bail, they would cause obstacles to the process of free and fair investigation and the likelihood of the petitioners repeating the alleged offence alleged against them and opposed to the relief sought for by the petitioners.

5. Considering the nature of the accusation levelled against the petitioners and the other accused being serious in nature and the stage of the investigation and the apprehension of the prosecution that the petitioners may cause hindrance to the process of free and fair investigation and flee from justice not to be easily ignored, at this stage of the matter, I am not inclined to grant the relief prayed for by the petitioners.

6. For the reasons aforesaid, the Criminal Original Petition is dismissed.

सत्यमेव जयते

15.05.2020

Index : Yes/No

Internet: Yes/No

Bga

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T.RAVINDRAN, J

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To

1. The Inspector of Police
Uthukuli police station,
Tirupur ,Tirupur District.

2.The Public Prosecutor, High Court, Madras



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