

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P. No. 7800 of 2020

R. Senthilkumar,
S/o. Rajendran,
Door No.11/7, 9th Street,
Kannappa Nagar,
Rathinapuri Post,
Coimbatore 641 027.

.. Petitioner/ Accused -1

Vs.

The State rep. by its
The Inspector of Police,
M-4, Thudiyalur Police Station,
Coimbatore District.
[Crime No. 1358 of 2020]

.. Respondent/ Respondent

Prayer: Criminal Original Petition filed for anticipatory bail under Section 438 of Criminal Procedure Code.

For Petitioner : Mr. W. Camyles Gandhi

For Respondent : Mr. M. Jothikumar
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for alleged offence punishable under Sections 147, 148, 294 (b), 324, 506 (ii) of I.P.C. and Section 3 of TNPPDL Act, in Crime No. 1358 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that, on 08.05.2020, at about 09.30 p.m., the petitioner and other accused went to the house of the de-facto complainant with deadly weapons, abused him in filthy language and tried to enter the house of the de-facto complainant and threatened him with dire consequences. As they could not enter the house, they threw the stones on the de-facto complainant and he got injured on various parts of the body. The petitioner and other accused threatened them with dire consequences and damaged the car which was parked in the house of the de-facto complainant. The de-facto complainant was admitted in the Ganga Hospital. On complaint, a case has been registered under Sections 147, 148, 294 (b), 324, 506 (ii) of I.P.C. and Section 3 of TNPPDL Act.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and his name is falsely implicated in the case. The petitioner and the de-facto complainant belongs to the same political party. Due to previous political enmity, the de-facto complainant has given false complaint against the petitioner. The co-accused was enlarged on bail today and hence, prayed for granting anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner and other accused went to the house of the de-facto complainant with deadly weapons, abused him in filthy language, assaulted the de-facto complainant by throwing stones. Only five persons were arrested and other accused are absconding. One previous case in Crime No. 149 of 2020, filed for the offences under Section 302 of I.P.C. is pending against the petitioner. If the petitioner is granted anticipatory bail, he will commit the same offence and hence, prayed for dismissal of the petition.

5. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6. Considering the serious nature of offence, the petitioner and other accused assaulted the de-facto complainant with deadly weapons, some of the accused are absconding and the investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

22.05.2020

Index : Yes / No
gsa

To

1.The Inspector of Police,
M-4, Thudiyalur Police Station,
Coimbatore District.

2.The Public Prosecutor,
High Court, Madras.

V.M.VELUMANI, J.,

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