

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.07.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

Crl.OP.Nos.8532 & 8533 of 2020

Crl.OP.No.8532 of 2020

1.Nishanth
2.Prakash
3.Vijayakumar
4.Vijayakumar
5.Jayakumar
6.Jothesh

.... Petitioners

Vs.

State Rep.by Inspector of Police,
K.V.Kuppam Police Station,
Vellore District.

.... Respondent

Crl.OP.No.8533 of 2020

1.Udhayakumar
2.Sivakumar

.... Petitioners

Vs.

State Rep.by Inspector of Police,
K.V.Kuppam Police Station,
Vellore District.

.... Respondent

Prayer: Criminal Original Petitions have been filed under Sections 438 of Cr.P.C. To grant Anticipatory Bail to the petitioners in the event of their arrest in Crime No.130/2020 pending investigation on the file of the respondent.

For Petitioners : Mr.E.Kannadasan
in both petitions

For Respondent : Mr.R.Ravichandran
in both petitions Government Advocate (Crl.side)

ORDER

Apprehending arrest for the offences punishable under sections 147, 148, 294(b), 323, 324, 307, 506(ii) IPC r/w section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in

Crime No.130 of 2020, on the file of the respondent police, the petitioners have come forward with the petitions seeking for Anticipatory Bail.

2.According to the petitioners in Criminal O.P.No.8532 of 2020, this is the third petition for Anticipatory bail. According to the petitioners in Criminal O.P.No.8533 of 2020, this is the second petition for Anticipatory bail.

3.This Court, after considering the case projected by the petitioners as well as the submission made by the Government Advocate, on considering the serious nature and gravity of the offences levelled against the petitioners and the stage of the investigation and also the previous case pending against the petitioners and the overacts attributed against the petitioners and the attack inflicted upon the defacto-complainant and her brother 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, resultantly, dismissed the earlier Anticipatory bail petition preferred by the petitioners in Crl.O.P.No.7551 of 2020 by order dated 13.05.2020.

4.Now, according to the petitioners, inasmuch as one of the accused persons viz., Vignesh had been arrested, according to them, apprehending their arrest, they have come forward with the present petitions for Anticipatory bail. Further, during the course of arguments, it is put forth that two of the petitioners are suffering from Covid-19 pandemic. However, there is no material pointing to the same as such.

5.Inasmuch as the offences levelled against the petitioners are serious in nature and particularly, considering the overacts attributed against the petitioners and the attack inflicted upon the defacto-complainant and her brother, more so, in view of the property dispute and further, the apprehension of the prosecution that the grant of pre-arrest bail in favour of the petitioners would seriously hinder the process of fair and free investigation, and also the stage of the investigation, not to be easily discarded or ignored, I am not inclined to entertain the Anticipatory bail petitions preferred by the petitioners.

Resultantly, both the Criminal Original Petitions are dismissed.

-sd/-
21/07/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
K.V.KUPPAM POLICE STATION,
VELLORE DISTRICT.

CC to M/S.E.KANNADASAN Advocate on payment of necessary charges

CRL.OP.NOS.8532 & 8533 OF 2020

Date :21/07/2020

MK:19/08/2020

सत्यमेव जयते
WEB COPY