

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2020

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.8960 of 2020

M. Shankar

... Petitioner

Vs.

The State Rep. By
The Inspector of Police,
Minjur Police Station,
Thiruvallur District.
(Crime No.1902 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1902 of 2020 on the file of the respondent police.

For Petitioner : Mr.N.R.Elango, senior counsel

For Ms.Aruna Elango

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 307 of IPC in Crime No.1902 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that on 07.06.2020 at about 4.30 p.m., the defacto complainant namely Sugumar and his friends were travelling in an auto rickshaw at Minjur. At that time, a car overtook the defacto complainant's auto rickshaw in a rash and negligent manner. When the same was questioned, 5 unknown persons came out from the car and one of them is the petitioner herein and that they had taken rods and logs and attacked the defacto complainant and his friend viz., Karthik due to which, he sustained injuries in his head and nose. Thereafter, the petitioner had also pointed a gun at the defacto complainant and threatened him. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in the case and that he was not present in the scene of occurrence. He further submitted that the petitioner is ready to co-operate with the investigation and ready to abide by the conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that during a sudden wordy quarrel between the accused persons and the defacto complainant and his friends, the accused persons attacked the defacto complainant and his friends with rods and logs and also threatened the defacto complainant with dire consequences as a result of which, the friend of the defacto complainant sustained severe head injuries. Thereafter, the injured was admitted at Minjur Government Hospital for treatment and later, the injured was shifted to Stanley Government Hospital, Chennai for better treatment. He further submitted that if the petitioner is granted anticipatory bail, there is a chance that the petitioner will involve in the similar nature of offence. Therefore, he vehemently opposed for the grant of bail to the petitioner.

5. Taking into account the facts and circumstances of the case and the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner. When this Court is about to dismiss the petition, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the petition.

6. In view of the submission made by the learned counsel for the petitioner, this Criminal Original Petition is dismissed as withdrawn.

-sd/-
29/06/2020

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 JUDICIAL MAGISTRATE NO.II,
PONNERI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
MINJUR POLICE STATION,
THIRUVALLUR DISTRICT.

CC to M/S. ARUNA ELANGO Advocate on payment of necessary charges

CRL OP.8960/2020

Date :29/06/2020