

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2020

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.9203 of 2020

R.Ponraj
S/o.Raj Mohan,
No.3/187, Veterinary Hospital Street,
Kadambathur,
Thiruvallur District. ... Petitioner

Vs.

State Rep. by
The Inspector of Police,
B-3, Kadambathur Police Station,
Thiruvallur District.
Crime No.648 of 2020 ... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to grant anticipatory bail to petitioner in the event of his arrest or
in his appearance before any Court in connection with the case in Crime
No.648 of 2020 pending investigation on the file of the respondent
police.

For Petitioner : Mr.T.Jurisman Fernando

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 294(b), 323, 324 and 506(ii) of IPC in Crime No.648 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused attacked the de-facto complainant with wooden log and iron rod. Therefore, the de-facto complainant sustained grievous injuries on his head and admitted to the hospital under treatment. Hence, the complaint.

3. The learned counsel for the petitioner would submit that there are totally two accused in this case and the petitioner is arrayed as A-2. A-1 is none other than his own brother. Originally, the petitioner and his brother and also the de-facto complainant were living in the same street and there was altercation between the first accused and the de-facto

complainant, due to which, the first accused only attacked the de-facto complainant. As far as the petitioner is concerned except the relationship between the first accused and the second accused as brother, he has nothing to do with the said allegation. In fact, he is a Central Government Employee, after finished his day's work returned home and went to sleep around 9.30 p.m., in his residence. Admittedly, the occurrence took place at 11.00 p.m., and as such he is being a Central Government Employee, he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor would submit that there are two accused in this case and the petitioner is arrayed as A-2. He would further submit that the first accused attacked with wooden log and the petitioner has attacked the de-facto complainant with Iron rod and thereafter, the de-facto complainant sustained grievous injuries on his head and he is still in hospital under treatment. Hence, he vehemently opposed to grant of anticipatory bail to the petitioner.

5. It is seen that that there are totally two accused in this case

and the petitioner is arrayed as A-2. According to the prosecution, the accused persons attacked the de-facto complainant with wooden log and iron rod. Therefore, the de-facto complainant sustained grievous injuries on his head and he is still in hospital under treatment and also no accused is arrested so far.

7. Considering the facts and circumstances of the case and also the serious offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

23.06.2020

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

kv

WEB COPY

To

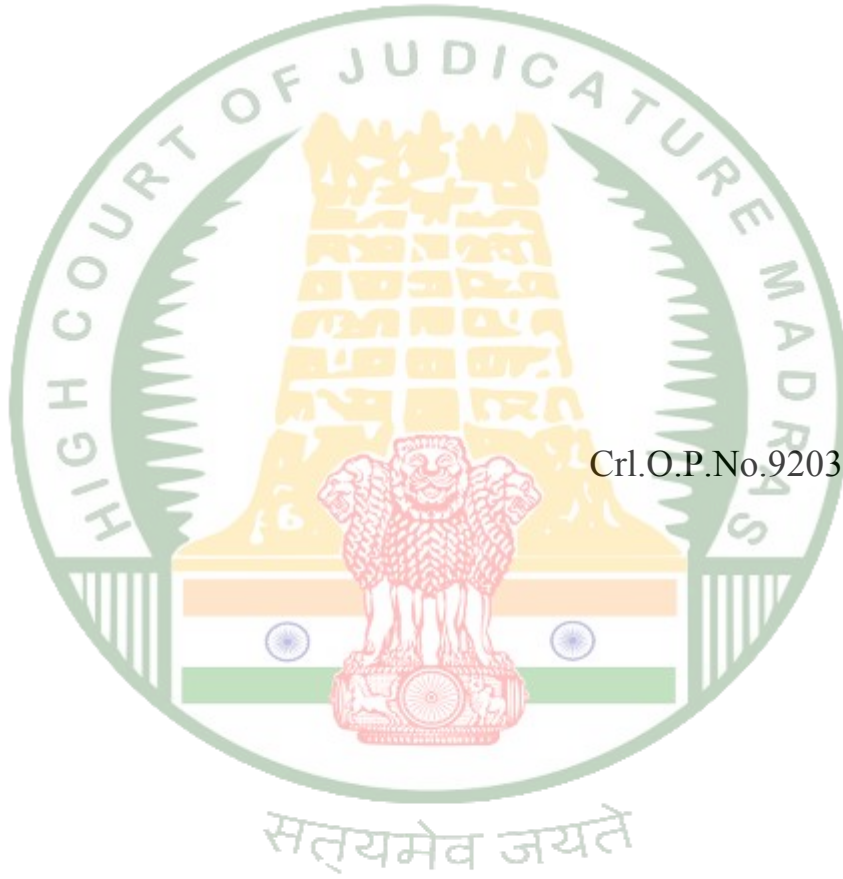
1. The Judicial Magistrate – I, Thiruvallur
2. The Inspector of Police,
B-3, Kadambathur Police Station,
Thiruvallur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY

G.K.ILANTHIRAIYAN, J

kv



Crl.O.P.No.9203 of 2020

WEB COPY

23.06.2020