

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No. 9346 of 2020

S.Palanisamy @ Boopathi

... Petitioner/Accused - 1

Vs.

The State represented by,
The Inspector of Police,
Cheyur Police Station,
Tiruppur District.
(Crime No.1095 of 2020)
Complainant

... Respondent/Defacto

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner in the event of arrest in Crime No.1095 of 2020 by the respondent police.

For Petitioner : Mr.G.Shanmugam

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

O R D E R

(This case has been heard through video conference)

The Petitioner who apprehends arrest at the hands of the Respondent Police, for having allegedly committed the offences punishable under Sections 294(b), 323 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No. 1095 of 2020, has filed this Criminal Original Petition, under Section 438 of Cr.P.C, seeking anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are known to each other. Whiles, on 15.06.2020, the petitioner had picked up quarrel with the defacto complainant in a drunken state. At that time, the petitioner assaulted the defacto complainant. Due to which, defacto complainant has sustained injuries and following which, she was admitted in the Hospital. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4 The learned Additional Public Prosecutor appearing for the respondent submitted that the defacto complainant and the petitioner together consumed liquor and there was a quarrel between them and at that time, the petitioner has assaulted the defacto complainant and abused him in unparliamentary words. Therefore, the defacto complainant sustained injuries and he is still in hospital. He further submitted that there is no previous case against the petitioner. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into account the fact that the injured is still in hospital, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

08/07/2020

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 JUDICIAL MAGISTRATE,
AVINASHI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
CHEYUR POLICE STATION,
TIRUPPUR DISTRICT.

CC to M/S.G.SHANMUGAM Advocate on payment of necessary charges

CRL OP.9346/2020

Date :08/07/2020