

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2020

CORAM

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

CrI.O.P.No. 9398 of 2020

1. Pavithran, S/o. Sekar,
2. Kala, W/o. Gurusamy,
3. Valarmathi, W/o. Sekar,

All are residing at
Colony Street,
Elaikadambur, Sendurai Taluk,
Ariyalur District.

.....Petitioners

-Vs-

State by The Inspector of Police,
Sendurai Police Station, Ariyalur District.
(Crime No. 361 of 2020)

....Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their arrest in
Crime No.361 of 2020 on the file of the respondent police.

For Petitioners : Mr. K. Balu

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

ORDER

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 302 IPC in crime No.361/2020, seek anticipatory bail.

2. The case of the prosecution is that due to family dispute, the petitioners along with other accused assaulted the father of the de-facto complainant with iron rod and wooden logs and caused severe injuries and all the petitioners attacked the de-facto complainant with wooden log and stones, due to which the defacto complainant's father died. Hence, this case.

3. The learned counsel for the petitioners would submit that the the petitioners are innocent and they were falsely implicated in the above case and they are no way connected with the alleged offence they have not committed any offences. Due to family dispute, to harass the petitioners, the de-facto complainant gave false complaint before the respondent police. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that there are totally 8 accused and the petitioners herein are arrayed as Accused Nos.5, 7 & 8 and they attacked the father of the de-facto complainant along with other accused with iron rod and wooden logs and caused severe injuries, due to which he died. They also attacked the de-facto complainant with wooden log and stones. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances of the case, there are specific allegations against the petitioners and therefore, this Court is not inclined to grant anticipatory bail. When this Court is about to dismiss the Criminal Original Petition, the learned counsel for the petitioners seeks permission of this Court to withdraw the petition. Hence, this Criminal Original Petition is dismissed as withdrawn.

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26.06.2020

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

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G.K.ILANTHIRAIYAN, J

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To

1. Inspector of Police
Sendurai Police Station, Ariyalur District.
2. The Public Prosecutor,
Madras High Court, Chennai.



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