

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2020

CORAM

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

Crl.O.P.No. 9452 of 2020

1.Saravanan, S/o Kannan

2. Sakthivel, S/o Kannan

Petitioners No.1&2 are residing at
No.36/B46, Thangamabaripattinam,
Mettur Taluk, Salem District.

3. Sivasakthi, S/o Venkatachalam
No.3/7, Keel Street,
Aththiyur, Perambalur District.

4. Rajesh Kumar,S/o Selvaraj
No.36/7E, Thangamabaripattinam,
Mettur Taluk, Salem District.

...Petitioners

-Vs-

The State Rep. By Inspector of Police
Karumalaikoodal Police Station,
Salem District.
(Crime. No. 394/2020)

... 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.394 of 2020 on the file of the respondent police.

For Petitioners : Mr. M. Subash

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 294(b), 323, 324 and 506(ii) of IPC in crime No.394/2020, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant was working under the first petitioner as a cleaner of his truck (lorry) and thereafter the defacto complainant was relieved from the said job and joined in a new job in another transport agency. Due to this, the first petitioner along with the other petitioners alleged to attack the defacto complainant with hands and kicked in his stomach and also threatened him with the dire consequences and the injured got admitted in the hospital. Hence the above case.

3. The learned counsel for the petitioners would submit that the the petitioners are innocent and they have not committed any offences. Due to the previous enmity, 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 the petitioners attacked the defacto complainant during the wordy quarrel between them and kicked on his stomach and due to which, the defacto complainant injured badly and underwent surgery in liver and he is still in hospital. 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.

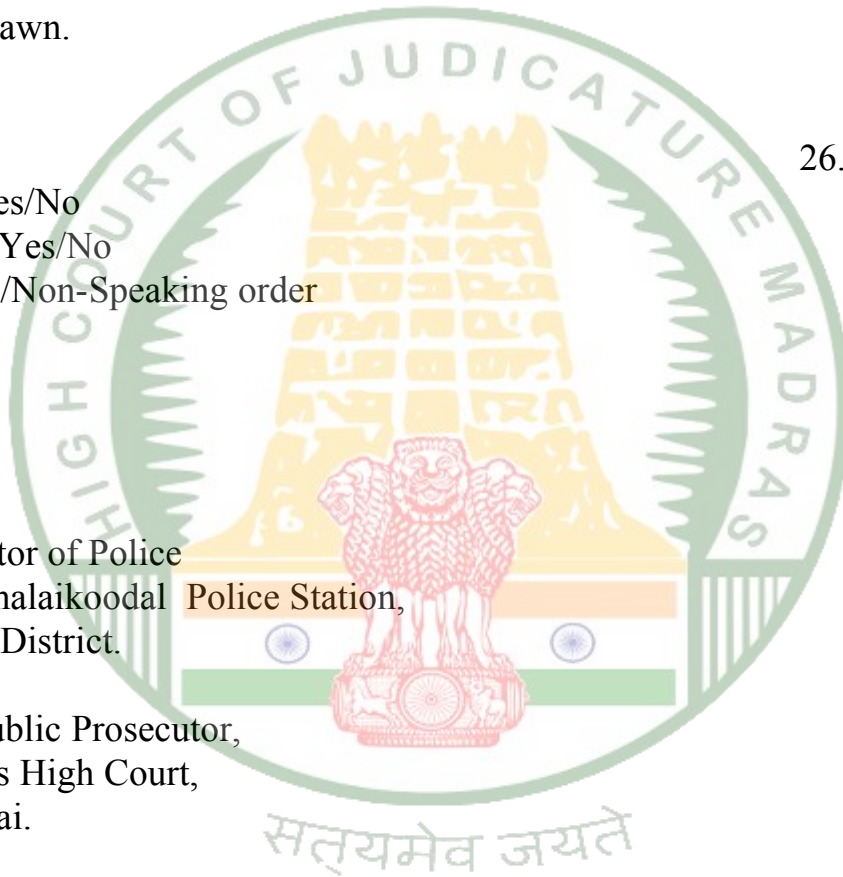
6. Recording the submission made by the learned counsel appearing for the petitioners, this Criminal Original Petition is dismissed as withdrawn.

26.06.2020

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
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To

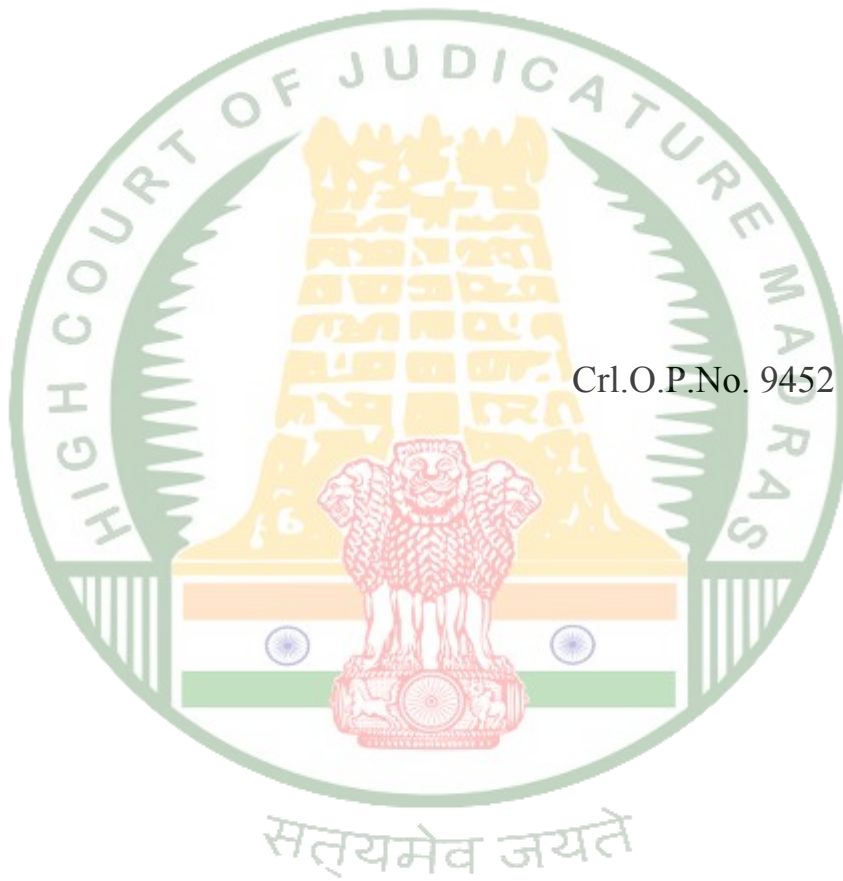
1. Inspector of Police
Karumalaikoodal Police Station,
Salem District.
2. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J

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