

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.10078 of 2020

1.Mahesh (M/38)
S/o,Rajendran

2.Rajesh (M/37)
S/o,Rajendran

3.Elangovan (M/48)
S/o,Mandhiramoorthy

4.Suresh(M/35)
S/o,Dhurairasu

5.Selvaraj (M/48)
S/o,Varadharajan
All of the native of
Manalmedu Vadakadu
Kovilur,
Thiruvarur District.

...Petitioners/Accused No.1 to 5

Vs.

State rep by
Inspector Of Police
Muthupettai Police Station,
Tiruvarur District.
(Crime No. 1626 of 2020)

... Respondent/Complainant

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.1626 of 2020 on the file of the respondent police.

For Petitioners : Mr. T.Muruganantham

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

O R D E R

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Sections
147, 148, 294(b), 324 and 506(ii) of I.P.C., in Crime No.1626 of
2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that while the de-facto
complainant was cultivating his land, the petitioners have dumped
sand and the same was questioned by the de-facto complainant.

Therefore, the petitioners attacked the de-facto complainant and as such, the de-facto complainant sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that there was a wordy quarrel between the petitioners and the de-facto complainant as such, the de-facto complainant sustained simple injuries and he was discharged from the hospital. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners are having very bad antecedents. Insofar as the 2nd accused is concerned, he is having 12 previous cases, 3rd accused is having two previous cases, 5th accused is having two previous cases and other accused 1 and 4 are also involved in murder and robbery cases. Hence he vehemently opposed to grant anticipatory bail to the petitioners.

5. It is seen that though the accused 1 and 4 having no previous cases, they also along with other habitual offenders have committed this offence. Insofar as the 2nd accused is concerned there are 12 previous cases and 3rd accused is concerned there are two previous cases including robbery case and 5th accused is concerned there are two previous cases including one murder case. Though the injured discharged from the hospital, this Court is not inclined to grant anticipatory bail to the petitioners due to their bad antecedents.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

03/07/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE
MUTHUPETTAI POLICE STATION,
TIRUVARUR DISTRICT.

CC to M/S. T.MURUGANANTHAM Advocate on payment of necessary charges

CRL OP.10078/2020

Date :03/07/2020

RD 17/08/2020

<https://hcservices.ecourts.gov.in/hcservices/>