

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.07.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10878 of 2020

Sakthivel

... petitioner

Vs.

State rep. by its

The Inspector of Police

Tiruchengode Town Police Station,

Namakkal District.

Crime No.824 of 2020

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.824 of 2020 pending investigation on the file of the respondent police.

For petitioner : Mr.C.S.Saravana

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

O R D E R

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under sections 447, 427, 294(b), 323, 324, 506(ii) IPC in Crime No.824 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 and the defacto complainant are close relatives and there was some dispute between them in respect of property. While so, on the date of occurrence, there was a wordy quarrel between the parties. At that time, the petitioner along with other accused, abused and attacked the defacto complainant and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that already two FIRs are pending against the defacto complainant on the basis of the complaint given by A1 and now as a counter blast, the present complaint has been preferred by the defacto complainant and the petitioner has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there was a property dispute between A1 and the defacto complainant. While

so, the petitioner accompanied with A1, attacked the defacto complainant and also threatened him with dire consequences. He would further submit that the victim is still taking treatment as in patient in the Velavan Hospital, Tiruchenkodu. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

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

-sd/-

22/07/2020

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,
TIRUCHENGODE

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
TIRUCHENGODE TOWN POLICE STATION,
NAMAKKAL DISTRICT.

CC to M/S.C.S.SARAVANAN Advocate on payment of necessary charges

सत्यमेव जयते

CRL OP.10878/2020

RD 24/08/2020

Date :22/07/2020

WEB COPY