

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.11630 of 2020

Kutta @ Suresh @ Nizamuthin

... Petitioner/Accused No.2

Vs.

The State represented by,
The Inspector of Police,
Vellore North Police Station,
Vellore District.
(Crime No. 1072 of 2020)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in Crime No. 1072 of 2020, on the file of the Inspector of Police, Vellore North Police Station, Vellore District, pending investigation.

For Petitioner : Mr.G.Vinodh Kumar

For Respondent : Mr.M.Mohamed 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 294(b), 323, 307 and 506(ii) of IPC, in Crime No. of 2020, on the file of the respondent police, seeks anticipatory bail.

2 The case of the prosecution is that on 26.05.2020 at about 08.15 p.m., the defacto complainant along with A1 and A4 went to consume liquor and there was a quarrel between the defacto complainant's son and A1 regarding contraband business. At that time, A1 attacked the defacto complainant's son with beer bottle, A2 attacked with knife and A3 & A4 attacked by using hands on the defacto complainant's son and abused him in filthy language thereby, defacto complainant's son sustained injuries. Hence the complaint.

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

4 The learned Additional Public Prosecutor appearing for the respondent would submit that the defacto complainant's son and the accused are friends and there was a quarrel took place between them regarding consuming ganja. He would submit that the injured has been discharged from the hospital. He would further submitted that there are two previous cases pending against the petitioner out of which, one is murder case and another is robbery case. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5 Taking into consideration the facts and submissions made by the learned counsels, considering the previous antecedents of the petitioner and considering the fact that this court has dismissed the earlier anticipatory bail application on 07.07.2020, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-

05/08/2020

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,
NOIV, VELLORE

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
VELLORE NORTH POLICE STATION,
VELLORE DISTRICT.

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

CRL OP.11630/2020

Date :05/08/2020

RVR 18/09/2020