

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.11994 of 2020

G.Surendra Prasath

... Petitioner

Vs.

State rep. by its:

The Inspector of Police,
N-4, Fishing Harbour Police Station,
Fishing Harbour, Chennai.

Crime No.1067 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest by the respondent pending investigation in N-4, in Crime No.1067 of 2020, on the file of the Inspector of Police, N-4, Fishing Harbour Police Station, Fishing Harbour, Chennai.

For Petitioner : Mr.S.Senthil Kumar

For Respondent : Mr.K.Prabakar

Additional Public Prosecutor

ORDER

(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 147,148, 448, 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.1067 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant, viz., Mrs. Kotteeshwari is that her husband / A1 along with the petitioner / A3 and other accused assaulted her with knife and caused grievous injury on her leg and hand, for which, she has taken treatment as in-patient in a Hospital. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that there was a matrimonial dispute between the de-facto complainant and his husband / A1, hence, she went to her maternal home. In order to sort out the issue, the petitioner, who is a brother-in-law of A1 along with A1 went to the de-facto complainant's parents' house. There arose a wordy quarrel and due to push and pull, she got injured. Suppressing the said facts, this false complaint has been given. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that A1 and the de-facto complainant are husband and wife. Suspecting fidelity, A1 assaulted the de-facto complainant and thereby, she went to her parents house. On 23.07.2020, the petitioner along with A1 and other accused went to the de-facto complainant's parents' house and attacked her with knife. Thereby, she sustained injury on her head, right fore arm and leg. The de-facto complainant had taken treatment as in-patient and now she got discharged from the Hospital. He would further submit that the petitioner has involved in three previous cases, pending against him in Crime Nos.1121, 1124 and 1127 of 2014 registered by H-6, Police Station. Hence, he oppose to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and the fact that the petitioner has already involved in three previous cases and the nature of injury sustained by the victim, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

सत्यमेव जयते

-sd/-

12/08/2020

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 METROPOLITAN MAGISTRATE NO.XVI,
GEORGE TOWN, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

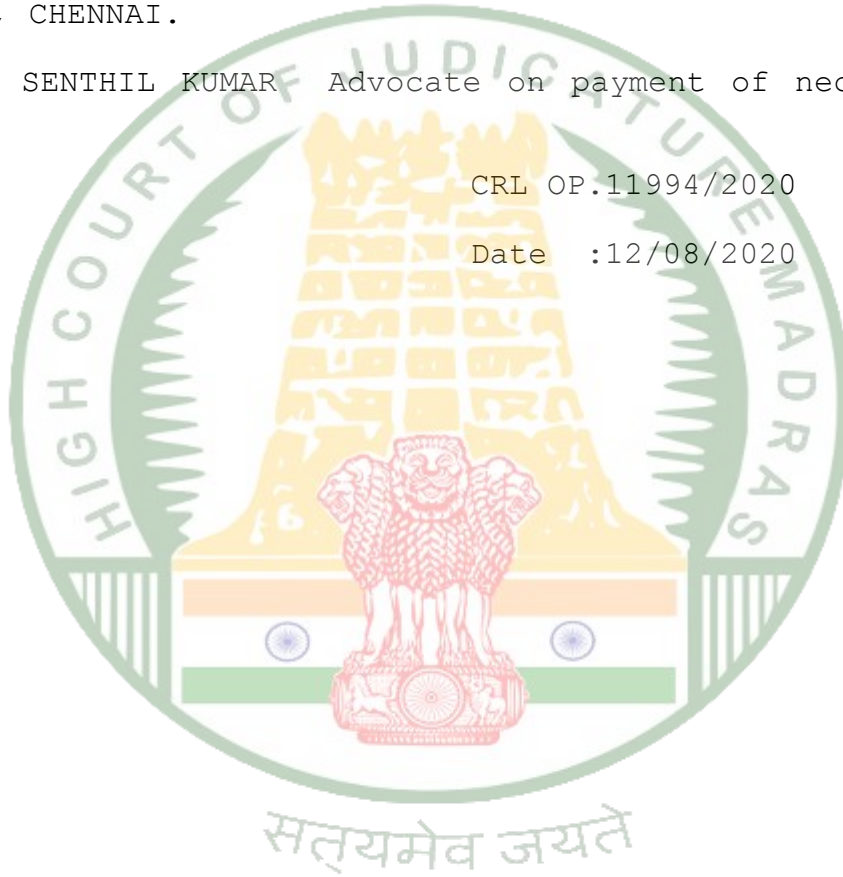
3 THE INSPECTOR OF POLICE,
N-4, FISHING HARBOUR POLICE STATION,
FISHING HARBOUR, CHENNAI.

CC to S. SENTHIL KUMAR Advocate on payment of necessary
charges

CRL OP.11994/2020

Date :12/08/2020

MK:26/08/2020



WEB COPY