

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.08.2020

CORAM :

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

Crl.O.P.No.12390 of 2020

1. Kamaraj
2. Elumalai
3. Anbu

... Petitioners

Vs.

The State Represented by,
The Sub-Inspector of Police,
Kilpennathur Police Station,
Thiruvannamalai District.
(Crime No.1863 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioners on bail in Crime No.1863 of 2020, on the file of the respondent police.

For Petitioners : Mr. R. Balakrishnan

For Respondent : Mr. T. Shunmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioners, who were arrested and remanded to judicial custody on 27.07.2020 for the offences punishable under Sections 147, 148, 294(b), 324, 307, 506(ii) IPC, in Crime No.1863 of 2020 on the file of the respondent police, seek bail.

2. The case of the prosecution is that there was previous enmity between the petitioners and the son-in-law of the defacto complainant and that on 24.07.2020, there was a problem between the son-in-law of the defacto complainant and person belonging to Kamaraj family. The persons belonging to Kamaraj family have assaulted the son-in-law of the defacto complainant and that he was admitted in Thiruvannamalai Government Hospital as in patient and that he had also given a complaint. On 26.07.2020 the son-in-law of the defacto complainant was discharged from the hospital and he had come back home and on the same day viz., 26.07.2020, the petitioners have gone to the house of the defacto complainant and questioned why he had given a complaint

and had assaulted him indiscriminately with knife and machetes due to which, the son-in-law of the defacto complainant sustained injuries on his right hand palm, right leg and left leg. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and that due to previous enmity, a false case has been foisted against these petitioners. He further submitted that the petitioners are no way connected in this case. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that two days prior to the scene of occurrence, the petitioners have assaulted the defacto complainant's son-in-law due to which, a complaint has been given against these petitioners and immediately after two days of his discharge, the petitioners had once again gone to the house of the defacto complainant and assaulted her son in law resulting in him sustaining serious injuries. Hence he opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and that the petitioners have been arrested very recently, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed for the present.

-sd/-
17/08/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सतयमेव जयते
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

WEB COPY

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, THIRUVANNAMALAI.

2 THE OFFICER INCHARGE
SUB-JAIL, THIRUVANNAMALAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

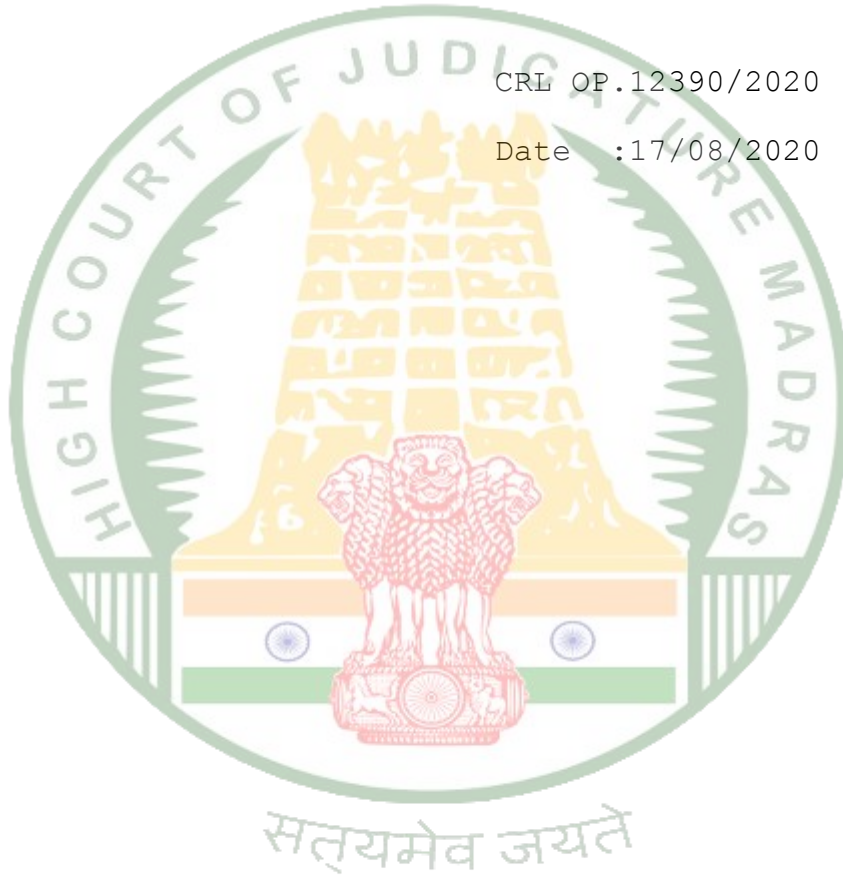
4 THE SUB INSPECTOR OF POLICE,
KILPENNATHUR POLICE STATION,
THIRUVANNAMALAI DISTRICT.

CC to M/S R.BALAKRISHNAN Advocate on payment of necessary
charges

CRL OP.12390/2020

Date :17/08/2020

cs 03/09/2020



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