

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No. 12628 of 2020

Balaji

... Petitioner/Accused-A1

Vs.

The State by
The Inspector of Police,
Redhills Police Station,
Thiruvallur District
(Crime No.136 of 2020)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on the bail in the event of his arrest in connection with in Crime No.136 of 2020 on the file of the respondent police.

For Petitioner : M/s.S.Sasikumar

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor

ORDER

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324, 385 and 506(ii) of IPC, in Crime No.136 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 21.03.2020, the petitioner along with some others, have abused the defacto complainant namely Arunraj with filthy language and also assaulted him with hands. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has no way connected with the occurrence took place as alleged by the prosecution. Due to previous enmity, the defacto complainant has foisted a false complaint against the petitioner. He further submitted that the petitioner is ready to co-operate with the investigation and ready to abide by the conditions that may be imposed by this Court. Hence, he seeks to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that due to money dispute, there was a quarrel between the petitioner and the defacto complainant due to which, the petitioner along with others, abused and attacked the defacto complainant. He would further submit that the petitioner is a history sheeter and also he has involved so far six previous cases including one murder case. Further the defacto complainant was doing Real Estate Business in which the petitioner demanded a plot from the defacto complainant and the same was refused to fulfill the request of the petitioner and that the defacto complainant was attacked by the accused persons and thereafter, injured discharge from the hospital. He further submit that there is no change of circumstances. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that the petitioner is a history sheeter and that he has bad antecedents and so far involving in six previous cases to his credit out of which, one under Section 302 IPC. Though the defacto complainant was discharge from the hospital that the petitioner attacked the deceased by demanding house plots from the defacto complainant.

6. Considering the facts and circumstances of the case and the fact that there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

-sd/-
27/08/2020

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 INSPECTOR OF POLICE,
REDHILLS POLICE STATION,
THIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.12628/2020

Date :27/08/2020

TA-21/09/2020

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