

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.14104 of 2020

S.Suresh

... Petitioner

Vs.

The State repd. by
The Inspector of Police
E-3, Teynampet Police Station
Chennai
(Crime No.815 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.815 of 2020 on the file of the respondent police.

For Petitioner : Ms.E.Malarkodi

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 offences punishable under Sections 147, 148, 341, 294(b), 323, 326 & 506(ii) IPC in Crime No.815 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant one Kamala is that the accused totally seven in number, due to previous enmity had trespassed into her house at an early hours of 1.30 a.m. and indiscriminately assaulted her brother and her relatives, due to which, one person sustained fracture.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor would vehemently oppose stating that due to previous enmity, the petitioner along with other accused have trespassed into the house of the defacto complainant and brutally attacked the victim, due to which, he sustained serious injuries and based on the complaint given by the defacto complainant, a case was registered in Crime No.815 of 2020. He would further submit that due to the assault, the defacto complainant's brother / victim fearing further attack had committed

suicide, thereby, the respondent police have subsequently registered a case for the offences under Section 174 Cr.P.C. in Crime No.816 of 2020. He would further submit that A1 to A4 have been arrested and they are still in judicial custody. He would further submit that as far as the second case in Crime No.816 of 2020 is concerned it is under investigation.

5. Taking into consideration of the facts and circumstances of the case and that the petitioner had assaulted the victim brutally and also the fact that the arrested accused are still in judicial custody, this Court is not inclined to grant anticipatory bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-sd/-

10/09/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
E-3, TEYNAMPET POLICE STATION,
CHENNAI.

CC to M/S.E.MALARKODI Advocate on payment of necessary charges

WEB COPY

CRL OP.14104/2020

Date :10/09/2020

RVR 25/09/2020