

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Cr1.O.P.No.14297 of 2020

Thineshwaran

... Petitioner

Vs.

State Represented by,

The Inspector of Police,

Basin Bridge Police Station,

Chennai District.

Crime No.751 of 2020.

.... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of his arrest in Connection with the Crime No.751 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.P.Chandrasekar

For Respondent : Mr.M.Mohamed Riyaz,

Additional Public Prosecutor

ORDER

(This 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), 341, 324, 307, 336, 506(ii) of IPC, in Crime No.751 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Theyagu is that on 30.08.2020, due to previous enmity, the petitioner along with other other accused persons abused the defacto complainant with filthy language and assaulted him.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is the friend of A1 and hence a false case has been foisted against the petitioner. Therefore, he prays for anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would vehemently opposed by stating that due to previous enmity, the petitioner assaulted the defacto complainant and caused grievous injuries. He would further submit that the victim is still in the hospital and A2 has been arrested and remanded to judicial custody and the petitioner has two previous cases of similar in nature.

5. Considering the above facts and circumstances of the case and also considering that the petitioner is a habitual offender of similar cases and the victim is also still in the hospital, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In view of the above, this Criminal Original Petition is dismissed.

-sd/-
14/09/2020

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 XVI METROPOLITAN MAGISTRATE COURT,
GEORGE TOWN

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
BASIN BRIDGE POLICE STATION,
CHENNAI DISTRICT.

CC to M/S. P.CHANDRASEKAR Advocate on payment of necessary charges

CRL OP.14297/2020

Date :14/09/2020

MK:28/09/2020