

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.09.2020

CORAM :

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

Crl.O.P.No.14334 of 2020

Karthik

... Petitioner

Vs.

State By

Station House Officer

Annamalai Nagar Police Station,
Cuddalore District.

(Crime No.1049 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail concerned in Crime No.1049 of 2020 on the file of the Station House Officer, Annamalai Nagar Police Station, Cuddalore District.

For Petitioner : Mr.K.Balu

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

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 16.08.2020 for the offence punishable under **Sections 341, 294(b), 324, 307 IPC read with Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, in Crime No.1049 of 2020**, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant Umarani is that due to previous enmity, the petitioner had on 16.08.2020 attempted to run over her by his Bolero Car Regn. No.TN 19 Q 1503. Fortunately, she was saved by her relatives. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case due to previous enmity with regard to land dispute. He would submit that a bare reading of FIR would show that it is a false case and would submit that the petitioner has been suffering incarceration from 16.08.2020. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that the petitioner is a notorious offender against whom nine previous cases are pending. He would further submit that on the previous day, he had cut and damaged Banana plantations of the defacto complainant's husband and there was a quarrel on the previous day. On the next day, while the defacto complainant was walking along the road, the petitioner attempted to run over her by his Bolero car. While it was questioned, the petitioner abused the defacto complainant and also outraged her modesty by pulling her saree and assaulted her. He would reiterate that there are nine previous cases against the petitioner and the petitioner was arrested very recently on 16.08.2020 and that the investigation is at the initial stage.

5. Taking in to consideration the nature of offence and the fact that the petitioner has involved in nine previous cases and that he has been arrested very recently on 16.08.2020, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

15/09/2020

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 OFFICER INCHARGE,
SUB-JAIL, PORTONOVO.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE STATION HOUSE OFFICER,
ANNAMALAI NAGAR POLICE STATION,
CUDDALORE DISTRICT.

CC to M/S.K.BALU Advocate on payment of necessary charges

CRL OP.14334/2020

Date :15/09/2020

MK:28/09/2020