

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.14779 of 2020

Pannerselvam @ Rajesh

... Petitioner

Vs.

State represented by,

... Respondent

The Inspector of Police,
Sankar Nagar Police Station,
St.Thomas Mount,
Chennai.

Crime No.854 of 2020.

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in Crime No.854 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.Y.Deva Arul Prakash

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

(The 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), 323 and 506(i) of IPC, in Crime No.854 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Nalliyappan, who is the brother-in-law of A1, is that due to family dispute between A1 and his wife, the petitioner along with A1 pushed the de-facto complainant from the first floor, due to which, the de-facto complainant sustained serious injuries at spinal cord. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the de-facto complainant is the brother-in-law of A1. When the petitioner accompanying A1, there was a quarrel between the de-facto complainant and A1, and hence, the petitioner has been implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner and the first accused assaulted the de-facto complainant and pushed him from first floor, due to which, he sustained serious injury at spinal cord and hospitalized for 22 days as in-patient and he has spent more than 2 lakhs as hospital expenditure and due to the injury suffered he is permanently disabled and immobilized. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the serious nature and gravity of the offences levelled against the petitioner and the attack inflicted upon the de-facto complainant, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
25/09/2020

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 JUDICIAL MAGISTRATE,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SANKAR NAGAR POLICE STATION,
ST.THOMAS MOUNT,
CHENNAI.

CC to M/S. Y.DEVA ARUL PRAKSH Advocate on payment of
necessary charges

CRL OP.14779/2020

Date :25/09/2020

TA-06/10/2020

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