

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.09.2020

CORAM

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

CrI.O.P.No.14759 of 2020

Saravanan

... Petitioner

Vs.

State rep.by

The Inspector of Police,
Kalapet Police Station,
Pondicherry- 605 014.
(Crime No.11 of 2019)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.11 of 2019 pending on the file of the respondent police.

For Petitioner : Mr.S.Sugendran

For Respondent : Mr.V.Balamurugane

Additional Public Prosecutor(Puducherry)

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 alleged offences punishable under Sections 324, 506(ii) of IPC r/w 34 of IPC @ 326, 506 (ii) IPC and r/w 34 of IPC, in Crime No.11 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the A1/kumar suspected that the defacto complainant's father namely Shake Ismail who is cousin of one Jafferullah was having illicit relationship with his wife and thereby to take revenge, he had engaged hirelings from Tamil Nadu and had continuously attacked the defacto complainant and his family members.

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 a false case has been foisted against him and he is the resident of Targunampattu, Chengalpattu District. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor (Pondicherry) submitted that the earlier petition filed by the petitioner was dismissed as withdrawn in CrI.O.P.No.10367 of 2020 and this Court was

not inclined to grant anticipatory bail. Suppressing the earlier dismissal order, the present petition has been filed. The Petitioner was engaged by A1 for his Criminal activities in Pondicherry Union Territory. He also submitted that A1 had suspected that the defacto complainant's relative was having illicit relationship with his wife and thereby A1 had engaged hirelings and continuously harrasing and attacking the family members of the person, whom he suspected to have illicit relationship with his wife. Apart from this case there are five cases registered against A1 and investigation has to be conducted whether the petitioner is used by A1 in all other cases. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and submissions made by the learned counsels and the criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is 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 PUBLIC PROSECUTOR
PUDUCHERRY

2 THE INSPECTOR OF POLICE,
KALAPET POLICE STATION,
PUDUCHERRY.

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

CRL OP.14759/2020

Date :25/09/2020

RVR 07/10/2020