

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.15139 of 2020

1.Dhachanamoorthy ... Petitioners
2.Devaraj
3.Raghu
4.Nathiya
5.Kala

Vs.

The State rep. by ...Respondent
The Inspector of Police
Koovathur Police Station
Kancheepuram
Crime No.77 of 2020.

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioners on bail in the event of his arrest in Crime No.77 of 2020 on the file of the respondent police pending investigation.

For Petitioners : Mr.S.Sugendran

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC r/w 4 of Women harassment Act, in Crime No.77 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant one Chandran is that the accused are prohibition offenders and they suspected that the defacto complainant has given information about them to the police. Thereafter, they came to the house of the defacto complainant and picked up quarrel and assaulted him with knife on head and also assaulted the de-facto complainant's wife, due to which they have suffered injuries.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and few prohibition cases are pending against them, other than that there is no previous case pending against them. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor vehemently opposed stating that the petitioners are prohibition offenders and that on 31.03.2020, they suspected that the de-facto complainant had given information about them to the police and thereafter, they came to the house of the de-facto complainant and quarrelled with him and assaulted him and his wife with knife and thereby, caused injuries to them. He would further submit that the injured has been discharged from the hospital. He would further submit that in respect of 1st petitioner there are 10 previous cases, in respect of 2nd petitioner, there are 4 previous cases, in respect of 3rd petitioner, there are 4 previous cases and in respect of 4th petitioner, there are 11 previous cases and in respect of 5th petitioner, there are 12 previous cases are pending.

5. Taking into consideration the facts and circumstances of the case and the antecedents of the petitioners are reported to be bad, this Court is not inclined to grant anticipatory bail to the petitioners.

6. 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 INSPECTOR OF POLICE,
KOOVATHUR POLICE STATION,
KANCHEEPURAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15139/2020

Date :25/09/2020