

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No. 15769 of 2020

K.Sarathkumar @ Vellai Appu

... Petitioner

Vs.

State represented by,
The Inspector of Police,
N-4 Fishing Harbour Police Station,
Chennai-600 013
(Crime No. 1070 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to grant anticipatory bail to the petitioner in the event of
his arrest in connection with the Cr. No.1070 of 2020 pending
investigation on the file of the respondent police.

For Petitioner : Mr.D.Jayasekar

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

O R D E R

(This Case has been heard through Video Conferencing)

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 147, 148,
323, 341, 324, 307 of IPC in Crime No.1070 of 2020 on the file of the
respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant
Goutham is that on 25.07.2020 at about 5.45 a.m was waiting to go for
fishing. At that time, the accused had come there with knife and other
sharp edged weapons and indiscriminately assaulted defacto complainant
and his friends. Due to which, the defacto complainant and his friends
sustained grievous injuries. Thereafter, the defacto complainant's
relative came there, the accused had ran away from the scene of
occurrence.

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 due to previous enmity. He further submitted that no
previous case as against him. Hence, he prays for grant of
anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that this is second anticipatory bail application, which has been filed suppressing the earlier application filed in Crl.O.P.No.14705 of 2020. When this Court was not inclined to grant bail to the petitioner, the earlier application had already been withdrawn by the petitioner and at that time, in the earlier application the name of the petitioner was given as Sarath @ Sarathkumar and in the present application has been given as K.Sarathkumar @ Vellai Appu. There are eight previous cases against the petitioner.

5. Taking into consideration, the facts and submissions made by the learned counsel and that there are eight previous cases pending against the petitioner and A4 to A6 were indiscriminately caused assault to the defacto complainant, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

13/10/2020

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 METROPOLITAN MAGISTRATE
NO.XVI, GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
N-4, FISHING HARBOUR POLICE STATION,
CHENNAI - 600 013.

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

CRL OP.15769/2020

Date :13/10/2020