

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.15835 of 2020

Mathan @ Mathanraj

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Kottur Police Station,
Tiruvarur District.
(Crime No.660/2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to grant Anticipatory bail to the petitioner in the event of his arrest in Crime No.660 of 2020 on the file of the respondent police.

For Petitioner : Mr.Swamisubramanian

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

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 offences publishable under Sections 147, 148, 341, 294(b), 324, 506(ii) and 307 of IPC in Crime No.660 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with the other accused way laid the defacto complainant and abused him and his brother in filthy language and also attacked the defacto complainant with deadly weapon, thereby the defacto complainant sustained serious cut injuries near the neck. The further allegation is that the co-accused attacked the defacto complainant with Aruval and caused serious head injuries. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and due to the previous enmity a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that due to previous enmity the petitioner along with the other accused abused and attacked the defacto complainant with deadly weapons and also threatened him with dire consequences and thereby the defacto complainant and his brother sustained serious head injuries. He further submitted that the injured has been discharged from the hospital and also submitted that there are no previous cases pending as against the petitioners. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of this case and the nature of injury, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

-sd/-

12/10/2020

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 JUDICIAL MAGISTRATE,
NO.II, MANNARGUDI,
THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR DISTRICT [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KOTTUR POLICE STATION,
THIRUVARUR DISTRICT.

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

CRL OP.15835/2020

Date :12/10/2020