

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. 16176 of 2020

Selvaraj

... Petitioner/Accused

Vs.

The State represented by,  
The Inspector of Police,  
Valangaiman Police Station,  
Thiruvarur District.  
Crime No.1889/2020

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No. 1889 of 2020, on the file of the respondent police.

For Petitioner : Mr.R.Thamarai Selvan

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 punishable under Sections 294(b), 324 and 506(ii) of IPC, in Crime No. 1889 of 2020, on the file of the respondent, seeks anticipatory bail.

2 The case of the prosecution as per the defacto complainant viz., Malarkodi is that the accused/petitioner herein is her husband, who had suspected her fidelity. Further, on 31.08.2020, the accused had come to home in an inebriated condition, abused the defacto complainant in filthy language and also assaulted her with Aruval, due to which, her left thumb got injured and it was amputated. Hence, the complaint.

3 The learned counsel appearing 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 matrimonial dispute has been exaggerated and projected as crime. He would submit that the injured has been discharged from the hospital. Hence, he prays to grant anticipatory bail to the petitioner.

4 The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner, who is the husband of the defacto complainant, had assaulted the defacto complainant with machete and thereby her left thumb got amputated. He would submit that though the injured has been discharged from the hospital, she is

taking treatment as out patient at Tanjore Medical College Hospital and that there is no previous case pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5 Taking into consideration of the facts and submissions made by the learned counsels and considering the fact that her thumb had been amputated and the injured has been taking treatment, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition stands 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 DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, VALANGAIMAN  
TIRUVARUR DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,  
VALANGAIMAN POLICE STATION,  
THIRUVARUR DISTRICT.

CC to M/S.R.THAMARAI SELVAN Advocate on payment of necessary charges

CRL OP.16176/2020

Date :12/10/2020

RVR 22/10/2020

WEB COPY