

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.OP.No.15954 of 2020

Devan

... Petitioner

Vs.

State rep. by
The Sub Inspector of Police
Kannakurichi Police Station
Salem City,
Salem District
(Cr.No.472 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of arrest in Crime No.472 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

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

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under **Sections 147, 148, 341, 294(b), 342, 307 and 506(ii) of IPC** in Crime No.472 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.5.2020 at about 2.00 p.m. while the *defacto complainant* and his younger brother Saravanan and his friends were having liquor near Athukadu E.B.Office, the accused and his friends had gone to the place and indulged in quarrel and that assaulted the *defacto complainant* and also caused injuries to the *defacto complainant* and his friends with knife.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. Infact the petitioner and his friends were assaulted by the *defacto complainant* and his friends in respect of which, a

complaint was given to the respondent police and a case in Crime No.473 of 2020 was registered against the *defacto complainant* and his friends for the offence under Sections 147, 148, 341, 294(b), 342, 307 and 506(ii) of IPC. He would further submit that the injured has been discharged from the hospital and the co-accused in this case were arrested and released on bail. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that the petitioner/A5 is notorious element against whom four previous cases are pending.

5. Taking into consideration the nature of offence and the antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition stands dismissed.

-sd/-

08/10/2020

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 SUB INSPECTOR OF POLICE,
KANNANURICHI POLICE STATION,
SALEM CITY, SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15954/2020

Date :08/10/2020

TA-19/10/2020