

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.16036 of 2020

Y P John David Paul

... Petitioner

Vs.

State Represented by :-

The Inspector of Police,
Thiruninravur Police Station,
Cr. No.640 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on Anticipatory bail in the event
of their arrest concerned in event of their arrest, concerned in
Crime No.640 of 2020, pending on the file of the Respondent police.

For Petitioner : Mr.S.Thirukumaran

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 alleged offences punishable under Sections
294(b), 324, 307 and 506(2) of IPC in Crime No.640 of 2020, on the
file of the Thiruninravur police station, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant
Pushparaj is that he is a painter and his wife is engaged in selling
fruits in a push cart. While so, one Sakthivel had borrowed a sum of
Rs.2,00,000/- from the defacto complainant and he had repaid the
amount of Rs.1,19,000/- and he died without repaying the balance
amount of Rs.81,000/-. Therefore, the defacto complainant has asked
the balance amount from the wife of the said Sakthivel. Following
which, the wife of the deceased Sakthivel along with other accused
have called the defacto complainant over phone and threatened him
not to ask for the balance amount. Thereafter, on the date of
occurrence, the accused had called the defacto complainant and
informed him to come and collect the money. When the defacto
complainant had gone to collect the money, the accused had assaulted
him with knife and caused injuries. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent persons and he has been falsely implicated in this case. He further submitted that the injured has been discharged from the hospital. Hence, he prayed for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that petitioner is the notorious offender against whom four previous cases of similar nature are pending. He further submitted that one Sakthivel husband of Al viz., Bhavani had borrowed the money from the defacto complainant and he had repaid part amount. Thereafter, the said Sakthivel died, due to which, the defacto complainant approached the wife of the Sakthivel and asked her to return the balance amount. Thereby the wife of the said Sakthivel along with petitioner and one Ajit threatened the defacto complainant and attacked him with aruval and caused injuries. The defacto complainant had suffered 18 sutures. Hence, he opposed for the grant of anticipatory bail to the petitioners.

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

-sd/-

09/10/2020

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, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLILCE,
THIRUNINRAVUR POLICE STATION.

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

CRL OP.16036/2020

Date :09/10/2020