

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 16301 of 2020

Vijayakumar

... Petitioner/4th Accused

Vs.

The State represented by,
The Station House Officer,
Panruti Police Station,
Cuddalore District.
Crime No. 2040 of 2020

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No. 2040 of 2020, on the file of the respondent police.

For Petitioner : Mr.D.Lakshmipathy

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 06.09.2020 for the offences punishable under Sections 147, 148, 294(b), 323, 506(ii) and 302 of IPC subsequently altered into Sections 120(b), 147, 148, 294(b), 323, 506(ii) and 302 of IPC, in Crime No. 2040 of 2020 on the file of the respondent police, seeks bail.

2 The case of the prosecution as per the defacto complainant viz., Karthik is that there was a previous enmity between the family of the defacto complainant and the accused. Whiles, on 05.09.2020, at about 06.45 p.m., while the defacto complainant and his brother were standing near Thiruvathigai bus stand, the accused persons had surrounded them with weapons and had assaulted them with iron pipes and stabbed his brother repeatedly with knife, due to which, his brother sustained injuries and he was admitted in the Panruti Government Hospital and thereafter, referred to Cuddalore Government Hospital, where the brother of the defacto complainant was declared brought dead. 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. Hence, he prays to grant bail to the petitioner.

4 The learned Government Advocate (Crl.side) appearing for the respondent would submit that the occurrence took place very recently on 05.09.2020 and that due to previous enmity between the petitioner and defacto complainant, the petitioner along with other accused had waylaid the defacto complainant and his brother and had assaulted them with iron pipes and stabbed the brother of the defacto complainant indiscriminately with knife. Thereby, the brother of the defacto complainant has sustained serious injuries and he was admitted in the Panruti Government Hospital and later he was referred to Cuddalore Government Hospital, where, he was declared brought dead. He would further submit that the investigation is pending. Hence, he opposed to grant bail to the petitioner.

5 Taking into consideration the facts and submissions made by the learned counsels and considering the fact that the petitioner has been arrested very recently on 06.09.2020, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition stands 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 JUDICIAL MAGISTRATE,
NO.I, CUDDALORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

4 THE STATION HOUSE OFFICER,
PANRUTI POLICE STATION,
CUDDALORE DISTRICT.

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

CRL OP.16301/2020

Date :13/10/2020

RVR 16/10/2020