

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No. 16536 of 2020

1.Thandapani

2.Subramanian

... Petitioners/Accused Nos. 1 and 2

Vs.

The State represented by,

The Inspector of Police,

Thalayamangalam Police Station,

Thiruvavarur - 614 014. TN.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No. 566 of 2020, on the file of the respondent police.

For Petitioners : Mr.S.Nirmaladitya

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324 and 506(2) of IPC, 1872, in Crime No. 566 of 2020, on the file of the respondent, seeks anticipatory bail.

2 The case of the prosecution as per the defacto complainant viz., Ravishankar is that he had borrowed the bike bearing registration No. Tamil Nadu 49 CZ 1113 Baja CD 100 from the first accused on 06.07.2020 and while he was driving the bike on the same day, the authorities of the bajaj finance had ceased the bike due to non-payment of the due amount via EMI. Thereafter, the petitioners asking the defacto complainant to return the bike, have abused and attacked the defacto complainant, due to which, he has sustained injuries. Hence, the

3 The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and that there is a counter case in Crime No.565 of 2020 against the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4 The learned Additional Public Prosecutor submitted that the injured is still taking treatment in Tanjore Medical College Hospital. He further submitted that there is no previous case pending against the petitioner. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5 Taking into consideration the facts and submissions made by the learned Counsel and the fact that the victim is still taking treatment in the hospital, this Court is not inclined to grant anticipatory bail to the petitioner for the present. Hence, this Criminal Original Petition stands dismissed.

-sd/-

16/10/2020

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 COURT NO.II,
MANNARGUDI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
THALAYAMANGALAM POLICE STATION,
THIRUVARUR-614 014.

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

CRL OP.16536/2020

Date :16/10/2020

MK:28/10/2020