IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.16427 of 2020

1.N.Manjula
2.Mageswari .. Petitioners

Vs.

The State Rep by
The Inspector of Police,
S-6, Sankar Nagar Police Station,
Chennai District.
(Crime No.978/2020) .. Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioners on bail in the event of their arrest in Crime No.978 of 2020 pending investigation on the file of the respondent police.

For Petitioners : Mr.K.Thenrajan

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 alleged offences under Sections 294(b), 323 and 506(i) of IPC, in Crime No.978 of 2020 on the file of the respondent police, seek anticipatory bail.

2 The case of the prosecution as per the defacto complainant Ranjani is that she was living at Ponnurangam Nagar 2nd Street, Pozhichalur, Chennai, for the past eight years and on 15.09.2020, while she was sleeping at her home, four unknown ladies had come into her house and sprinkled chilli powder on her face and thereafter, they have also assaulted her indiscriminately and she has suspected one Manjula, who is her neighbor. Hence, the complaint.

3 The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case due to previous enmity. He would further submit that the first petitioner is a lady, having two children. Hence, he prays to grant anticipatory bail to the petitioners.

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4 The learned Additional Public Prosecutor appearing for the respondent would submit that due to previous enmity between the defacto complainant and the first petitioner, the first petitioner had engaged four women and had assaulted the defacto complainant. He would submit that on 14.09.2020, the petitioners along with other accused had entered into the house of the defacto complainant and had sprinkled chilli powder on her face and had also assaulted her. He would further submit that the entry of the four accused persons into the house of the defacto complainant has been recorded in the nearby C.C.TV camera and that the first petitioner is the person who had guided to other four accused persons. He would submit that this is a peculiar case where the identity of the four persons have to be found out and that the first accused is the person who will be able to inform about other four persons.

5 Mr.Subash, the learned counsel for the intervener would submit that the accused have sprinkled chilli powder on the defacto complainant's face and thereafter assaulted her very brutally. Hence, he opposed to grant anticipatory bail to the petitioners.

6 Taking into consideration of the facts and submissions made by the learned counsels, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
15/10/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

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3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
S-6,SANKAR NAGAR POICE STATION,
CHENNAI DISTRICT.

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

CRL OP.16427/2020

Date :15/10/2020

cs 28/10/2020

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