

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

CrI.O.P.No.17400 of 2020

K.Alex Raja

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
R-5, Virugambakkam Police Station,
Virugambakkam, Chennai District.
(Cr.No.563 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in Crime No.563 of 2020 on the file of the respondent.

For Petitioner : Mr.K.Jayakumar

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 offences punishable under Sections 294 (b), 324, 341 and 506 (ii) of IPC, in Crime No.563 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to previous motive, there was a wordy quarrel between the petitioner and the defacto complainant, the petitioner assaulted the defacto complainant with knife on his leg and neck, as a result of which, he sustained injuries. 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. He would further submit that he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner assaulted the defacto complainant repeatedly, due to which, the defacto complainant sustained multiple injuries on his left leg and neck and therefore, he suffered 15 stitches on his neck and leg and now he has been discharged from the hospital on account of Corona pandemic. He would further submit that the petitioner has one previous case and he has been arrested and enlarged on bail very recently. Immediately coming out of jail, he had involved in the subsequent offence. He would further submit that A3 and A4 are still in custody. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the bad antecedents of the petitioner and the victim sustained multiple injuries on his leg and neck and he also suffered 15 stitches on his leg and neck and there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed with cost of Rs.1000/- (Rupees One Thousand Only) payable by the petitioner to the Hon'ble Chief Justice Relief Fund, Madras High Court.

-sd/-
11/11/2020

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 METROPOLITAN MAGISTRATE
NO.XXIII, SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
R-5, VIRUGAMBAKKAM POLICE STATION,
VIRUGAMBAKKAM, CHENNAI.

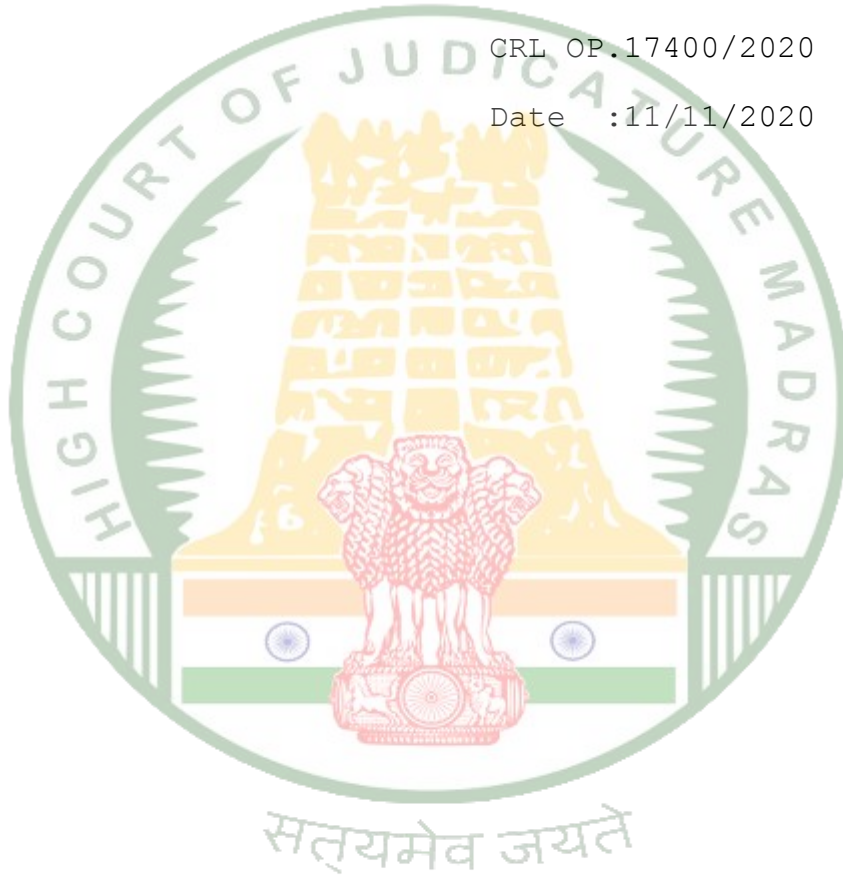
5 THE SECTION OFFICER,
THE ACCOUNTS SECTION,
THE HON'BLE CHIEF JUSTICE RELIEF FUND,
MADRAS HIGH COURT.

+1 CC to M/S.K.JAYAKUMAR Advocate on payment of necessary charges
SR.No.7337

CRL OP.17400/2020

Date :11/11/2020

cs 23/11/2020



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