

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.OP.No.17055 of 2020

Bharani @ Bharanidharan

... Petitioner

Vs.

The State represented by
The Inspector of police,
Maraimalai Nagar Police Station,
Maraimalai Nagar.
Crime No.2340 of 2020. ... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail, in the event of his
arrest, in Crime No.2340 of 2020 on the file of the respondent
police.

For Petitioner : Mr.R.Thirumoorthy

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 offences punishable under Sections 341,
323, 324 and 506(ii) IPC, in Crime No.2340 of 2020, on the file of
the respondent police, seeks anticipatory bail.

2 The case of the prosecution as per the defacto complainant
viz., Vijay is that there was a wordy quarrel between the petitioner
and the defacto complainant, due to which the petitioner and other
accused have assaulted the defacto complainant with hands and stones
and thereby, he sustained injury. Hence, the complaint.

3 The learned counsel appearing for the petitioner would
submit that the petitioner is an innocent and he has been falsely
implicated in this case. He would submit that this is the second
application for anticipatory bail and the earlier application in
CrI.O.P.No.13226 of 2020 was dismissed by this Court on 28.08.2020.

Hence, he prays for grant of anticipatory bail to the petitioner.

4 The learned Additional Public Prosecutor appearing for the respondent would submit that there was a wordy quarrel between the petitioner and the defacto complainant, due to which the petitioner and other accused have assaulted the defacto complainant with hands and stones, thereby, the defacto complainant sustained injuries. He would further submit that the petitioner is an habitual offender and that there are four previous cases pending against him out of which one case was registered under Section PPDL Act and two other cases were registered under Section 302 of I.P.C. He would submit that the petitioner is a history sheeted rowdy in H.S.No.63 of 2018. Hence, he opposed for grant of anticipatory bail to the petitioner.

5 Taking into consideration the facts and submissions made by the learned counsel, considering the fact that this Court had very recently on 28.08.2020 dismissed the anticipatory bail application in Crl.O.P.No.13226 of 2020 stating that there are previous cases against the petitioner and that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. However, a direction is issued to the petitioner to deposit an amount of Rs.2,000/- to the credit of Chief Justice Relief Fund, High Court, Madras.

6 With the above direction, this Criminal Original Petition stands dismissed.

-sd/-
05/11/2020

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.

सत्यमेव जयते

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, CHENGALPATTU

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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4 THE INSPECTOR OF POLICE,
MARAIMALAI NAGAR POLICE STATION,
MARAIMALAI NAGAR, CHENGALPATTU DISTRICT.

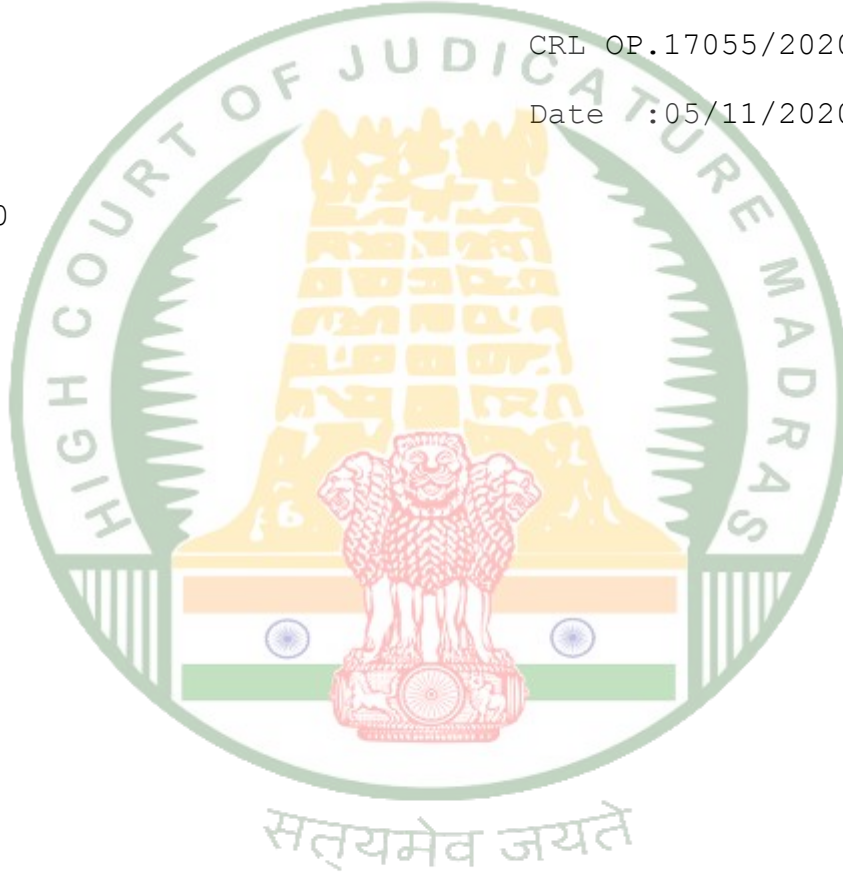
5 THE SECTION OFFICER
ACCOUNT SECTION
CHIEF JUSTICE RELIEF FUND
HIGH COURT, MADRAS.

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

CRL OP.17055/2020

Date :05/11/2020

TA-10/11/2020



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