

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.10.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.16571 of 2020

Vinoth @ Vinoth Kumar

... Petitioner

Vs.

The State,
Rep by Inspector of Police,
Muthupettai Police Station,
Thiruvarur District.
Crime No.1681/2020.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge petitioner herein on Anticipatory bail in the event of arrest in Crime No.1681 of 2020 on the file of the respondent.

For Petitioner : Mrs.T.Dharani

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 147, 148, 452, 294(b), 324, 506(ii), 307, 379 of IPC and 3 (1) of Tamil Nadu Public Property Damage and Loss Act, in Crime No.1681 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused purchased two biriyani packets from the defacto complainant and while purchasing he asked the defacto complainant whether he knows the District Secretary of a Political Party viz. John Pandiyan. When the defacto complainant gave a negative answer, he called A1 and ransacked the hotel and took Rs.30,000/- from the counter and also damaged five two wheelers parked in front of the hotel. The damage is assessed to Rs.35,219/-. The petitioners have further assaulted the defacto complainant due to which, he sustained neck injury.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that the petitioner along with other accused while purchasing biriyani asked the defacto complainant whether he was aware of the District Secretary of a Political Party viz. John Pandiyan, when the defacto complainant gave a negative answer, he called A1 and ransacked the hotel and took Rs.30,000/- and also damaged five two wheelers parked in front of the hotel. The damage is assessed to Rs.35,219/-. The petitioners have further assaulted the defacto complainant due to which, he sustained neck injury. He would further submit that the injured has been discharged. He would further submit that the petitioner is having three previous cases to his credit registered for the offences punishable under Section 307 IPC.

5.Taking into consideration of the submissions so made by the learned Additional Public Prosecutor that the petitioner has three previous cases pending to his credit, this Court is not inclined to grant anticipatory bail to the petitioner.

6.This Criminal Original petition stands dismissed accordingly.

-sd/-

28/10/2020

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 INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
THIRUVARUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.16571/2020

Date :28/10/2020

TA-04/11/2020

<https://hcservices.ecourts.gov.in/hcservices/>