

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Crl.O.P.No.16854 of 2020

ASWIN @ ASWINKUMAR

... Petitioner/Accused No.1

Vs.

The State Rep. By ...Respondent/Complainant  
The Inspector of Police,  
Koradacherry Police Station,  
Thiruvarur District.  
Crime No:1484 of 2020.

**Prayer:** Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of his arrest in Crime No.1484 of 2020 on the file of the Inspector of Police, Koradacherry Police Station, Thiruvarur District.

For Petitioner : Mr.Swami Subramanian  
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), 353 and 506(ii) of IPC and in Section 3(1) of Tamil Nadu Property (Prevention of Damages and Loss) Act., in Crime No.1484 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant viz. Muthulakshmi, the Government Medical Officer, Kankoduthavanitham, is that on 04.10.2020 at about 7.00 p.m. while she was on duty along with other female staff members, the petitioner along with other accused came to the hospital in an inebriated condition and created ruckus and abused them in filthy language and also caused damage to the board and other items in the

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 went to the hospital seeking medicine for his father and when the duty doctor, the defacto complainant herein asked to bring the patient, he created ruckus, abused the female staff members of the hospital and also caused damage to the articles belonging to the hospital to the tune of Rs.20,000/-. He would further submit that the petitioner is a history sheeter and against him there are three previous cases, two cases are registered for the offences under Section 307 IPC and one case is registered for the offence under Section SC/ST (Prevention of Atrocities Act).

5.Taking into consideration of the fact that the petitioner is a history sheeter and that there are three previous cases pending against him, out of which, two cases are registered for the offences under Section 307 IPC and one case is registered for the offence under Section SC/ST (Prevention of Atrocities Act), 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,  
KORADACHERRY POLICE STATION,  
THIRUVARUR DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.16854/2020

Date :28/10/2020

TA-29/10/2020

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