

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.17353 of 2020

Rahul

... Petitioner

Vs.

The State represented by
The Inspector of Police
Saibaba Colony Police Station,
Coimbatore District.
(Cr. No.1068 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.1068 of 2020 on the file of Inspector of Police, Saibaba Colony Police Station, Coimbatore District.

For Petitioner : Mr.G.Karthikeyan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 341 and 307 of IPC in Crime No.1068 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant viz., Nithish kumar is that due to circulation of abusive material on whats app, there was previous enmity and motive between the accused and the defacto complainant. While so on 12.09.2020, the petitioner along with the other accused waylaid the defacto complainant and stabbed him with knife due to which, he sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case due to previous enmity. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that due to previous enmity, the petitioner along with other accused, attacked the defacto complainant with knife due to which, he sustained stab injuries in his stomach and because of this incident, one Bijju was murdered as a retaliation . He would further submit that the petitioner has got one previous case which was registered recently for an offence under Section 307 of IPC.

5.Taking into consideration, the nature of of offence and the fact that the petitioner has got one previous case registered very recently in the year 2020, this Court is not inclined to grant anticipatory bail. Accordingly, this Criminal Original Petition stands dismissed.

-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 INSPECTOR OF POLICE,
SAIBABA COLONY POLICE STATION,
COIMBATORE DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.G.KARTHIKEYAN Advocate on payment of necessary charges SR.No.7574

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CRL OP.17353/2020

Date :11/11/2020

cs 20/11/2020