

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.17317 of 2020

1.A.Arul
2.Rajeshwari

... Petitioners

Vs.

State rep. By
The Inspector of Police,
Kadaladi Police Station,
Tiruvannamalai District.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail in the event of arrest in Crime No.2678 of 2020 on the file of the respondent police.

For Petitioners: Mr.Sathyaraj E.

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

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under **Sections 294(b), 323, 324, 307 & 506(2) of IPC** in Crime No.2678 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant viz., Neelamegan is that there was a dispute between him and the family of the accused with regard to the property. Whiles, on 18.09.2020, at about 08.00 a.m., when they were about to measure the lands, the petitioners along with other accused had picked up a quarrel with the defacto complainant, abused him in filthy language, assaulted him with stones and pushed him into a mud and thereafter, the first accused viz., Silambarasan had taken a sharp edged stone and stabbed in his stomach and they had also threatened and intimidated him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that this is the the second bail application. Earlier the petitioners filed a petition in CrI.OP.No.16112 of 2020 dated 12.10.2020, which was dismissed by this Court on the ground that the defacto

complainant is still in hospital. He would further submit that A2 and A3 have been arrested and enlarged on bail and thereby they seeking for bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that A2 &A3 have been arrested and released on bail. As far as the victim is concerned, originally he was admitted in Stanly Medical College, Chennai, later his condition deteriorated and he admitted in Government Hospital, Vellore.

5.Taking into consideration, the submissions made by the learned counsels and the fact that the victim is still taking treatment in Government hospital in Vellore as in patient, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, 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.

TO

1 THE JUDICIAL MAGISTRATE,
KALASAPAKKAM, TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KADALADI POLICE STATION,
THIRUVANNAMALAI DISTRICT.

CC to M/S.SATHIYARAJ E. Advocate on payment of necessary charges

CRL OP.17317/2020

Date :05/11/2020