

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2020

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.17452 of 2020

1. Vediammal
2. Omsakthi @ Sakthi
3. Jothimani

... Petitioners

- Vs. -

State by,

The Inspector of Police,
Komaralingam Police Station,
Tiruppur District.

(Cr.No.713 of 2020).

.... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of their arrest in respect of Crime No.713 of 2020 pending on the file of the respondent police.

For Petitioners : Mr.S.Gunalan

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

ORDER

(This 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 447, 324 & 506(ii) of IPC in Crime No.713 of 2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that during a quarrel while grazing the cattle in the land of the *de facto* complainant, the petitioners assaulted the *de facto* complainant and his son with stones and iron rod on the head, due to which, the son of the *de facto* complainant, aged 15 years, sustained injuries on his head.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely

implicated in this case. He would further submit that it is the *de facto* complainant, who has assaulted the petitioners and a false case has been given against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that during a quarrel while grazing cattle, the petitioners assaulted the *de facto* complainant and his son, who is aged 15 years with stones and iron rod on the head. He would submit that the *de facto* complainant has been discharged from the hospital and the son of the *de facto* complainant has suffered serious head injuries and he has underwent surgery and till now he is taking treatment as inpatient in ICU. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5. Taking into consideration the fact that the son of the *de facto* complainant has sustained serious head injury and he is taking treatment in ICU, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

06/11/2020

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, MADATHUKULAM

2 THE PUBLIC PROSECUTOR, HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
KOMARALINGAM POLICE STATION,
TIRUPPUR DISTRICT.

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

CRL OP.17452/2020

Date :06/11/2020

RVR (GKS) :23/11/2020