

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Crl.O.P.No.17801 of 2020

1. Honestraj
2. Boopathi @ Pepsisa

... Petitioners

Vs.

The State Represented by,
The Sub Inspector of Police,
Shankar Nagar Police Station,
Chennai. (Cr.No.1026 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 Connection with the Crime No.1026 of 2020 pending on the file of the respondent police.

For Petitioners : Mr.R.Sasikumar

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 341, 294 (b), 324 & 506 (ii), in Crime No.1026 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant, the petitioners along with other accused have assaulted the defacto complainant with knife on his hand, as a result of which, he sustained injuries. Hence, the complaint.

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 they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital. He would further submit that the second petitioner has been arrested and remanded to judicial custody and the first petitioner has two previous cases out of which, one is under Section 397 of IPC and another one is under the TNPPDL Act. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts and submissions of the learned Counsel and also the fact that the second petitioner has been remanded to judicial custody and the first petitioner has two previous cases, this Court is not inclined to grant anticipatory bail to the petitioners.

Accordingly, this Criminal Original Petition is dismissed.

-sd/-

10/11/2020

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,
NO.II, TAMBARAM

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUB INSPECTOR OF POLICE,
SANKAR NAGAR POLICE STATION,
CHENNAI.

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

CRL OP.17801/2020

Date :10/11/2020

RVR 23/11/2020

WEB COPY