

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No. 18188 of 2020

Balaji

... Petitioner/ 1st Accused

Vs.

The State represented by,
The Inspector of Police,
Redhills Police Station, Thiruvallur District.

[Crime No. 136 of 2020] ... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on anticipatory bail in the event of their arrest by the respondent police in Crime No. 136 of 2020, on the file of the respondent police.

For Petitioner : Mr.R.Sasikumar

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 apprehends arrest at the hands of the respondent police for the offence punishable under Sections 448, 294(b), 324, 385 and 506(ii) of IPC, in Crime No. 136 of 2020, on the file of the respondent, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant viz., Arunraj is that on 21.03.2020, there was a wordy quarrel took place between the accused and him due to previous enmity and at that time, the petitioner along with other accused had abused him in filthy language and also assaulted him. Thereby, the defacto complainant has sustained injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has no way connected with the occurrence took place as alleged by the prosecution and that due to previous enmity, the defacto complainant has foisted a false complainant against the petitioner. He would further submit that the petitioner is ready to co-operate with the investigation and also ready to abide by any stringent condition that may be imposed by this Court on him. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that due to money dispute, there was a wordy quarrel took place between the accused persons and the defacto complainant and at that time, the petitioner along with other accused had abused and attacked the defacto complainant and thereby, the defacto complainant has sustained injuries. He would submit that the injured has been discharged from the hospital. He would further submit that there are five previous cases pending against him including one murder case and that he is a history sheeter rowdy, having H.S.No.06/2016 at Puzhal Police Station. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Taking into consideration of the facts and submissions made by the learned counsels, the nature of offence and the fact that the petitioner is a history sheeter and he has bad antecedents and that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

सत्यमेव जयते
19/11/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

WEB COPY
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.II,
PONNERI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
REDHILLS POLICE STATION,
THIRUVALLUR DISTRICT.

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

CRL OP.18188/2020

Date :19/11/2020

MK:01/12/2020



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