

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.18986 of 2020

Vinoth @ Vinoth Kumar

... Petitioner/Accused 2

Vs.

The State,

... Respondent

Represented by The Inspector of Police,
Muthupettai Police Station,
Thiruvavur District.
(Crime No.1681 of 2020)

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of apprehending arrest in Crime No.1681 of 2020 pending on the file of the respondent.

For Petitioner : M/s.T.Dharani

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

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 452, 294(b), 324, 506(ii), 307 and 379 of IPC and 3(1) of Tamil Nadu Public Property Damage and Loss Act, in Crime No.1681 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that petitioner along with other accused purchased two biriyani packets from the defacto complainant, while purchasing he asked the defacto complainant whether he knows the District Secretary of a Political Party viz. John Pandian. When the defacto complainant gave a negative answer, he called A1 and ransacked the hotel and took Rs.30,000/- from the counter and also damaged five two wheelers parked in front of the

hotel. The damage is assessed to Rs.35,219/-. The petitioners have further assaulted the defacto complainant due to which, he sustained neck injury. Hence, the complaint.

3.The learned Counsel appearing for the petitioner would submit that this the second anticipatory bail application. He would further submit that the petitioner is innocent and he has been falsely implicated in this case.

4.The Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that the petitioner along with other accused while purchasing biriyani asked the defacto complainant whether he was aware of the District Secretary of a Political Party viz. John Pandiyan, when the defacto complainant gave a negative answer, he called A1 and ransacked the hotel and took Rs.30,000/- and also damaged five two wheelers parked in front of the hotel. The damage is assessed to Rs.35,219/-. The petitioners have further assaulted the defacto complainant due to which, he sustained neck injury. He would further submit that the injured has been discharged. He would further submit that the petitioner is having three previous cases to his credit registered for the offences punishable under Section 307 IPC. He would further submit that this is the second anticipatory bail application and this Court had very recently dismissed the earlier application and there are no change in circumstances in this case. However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and that this Court had very recently dismissed the anticipatory bail petition filed by this petitioner and there are no change in circumstances in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

सत्यमेव जयते

-sd/-

07/12/2020

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

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TRUE COPY

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

TO

1 THE INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
THIRUVARUR DISTRICT.

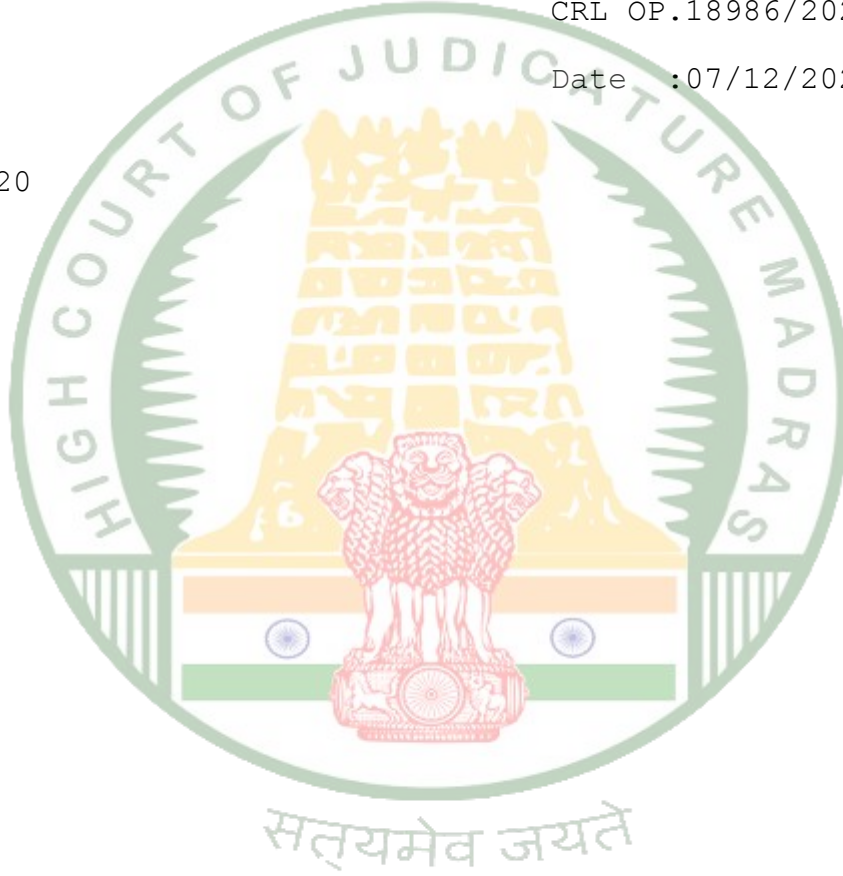
2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.18986/2020

Date :07/12/2020

MN-15/12/2020



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