

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.19327 of 2020

1.Ravindranath
2.Mohan
3.Kasthuri

... Petitioners

Versus

State Rep.by its
The Inspector of Police,
Kasimedu Police Station,
Chennai.
(Crime No.2357 of 2020)

... Respondent

Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.2357 of 2020 on the file of the respondent police.

For Petitioners: Mr.K.Ramesh

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

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 289, 324 and 506(ii) of IPC, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.2357 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The petitioners are arrayed as A2 to A4. The case of the prosecution as per the defacto complainant/Srimathi is that she had worked as Teacher in Madha Nursery and Primary School. During the year of 2016, the first accused, who is the son of the Manager of the School, borrowed 27 sovereigns of gold jewels for developing the school and thereafter, he had not returned the jewels to her. While so, on 23.11.2020, the defacto complainant shouted in front of the accused house to return her jewels, at the time, the accused unleashed the dog and instructed to the dog to attack the defacto complainant. The dog had seriously bitten the defacto complainant on

left cheek, left thigh and all other parts of the body. Hence the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. There is a financial dispute between them. He would further submitted that they would have never indulged such offence as alleged by the prosecution. Hence, he prays for the grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners were unleashed the dog and instructed to bite the defacto complainant. The defacto complainant sustained very serious bites all over the body and she is still in hospital. Al is still in custody. Hence, he vehemently opposed for grant of bail to the petitioners.

5.Taking into consideration of the facts and submissions made and the injured is still in hospital and also the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the Criminal Original Petition is dismissed.

-sd/-

09/12/2020

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 METROPOLITAN MAGISTRATE,
NO.XVI, GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KASIMEDU POLICE STATION,
CHENNAI.

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

CRL OP.19327/2020

Date :09/12/2020