

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.12.2020

CORAM :

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.19284 of 2020

Sivaji

... Petitioner

Vs.

State rep.by

The Inspector of Police,

V1 Villivakkam Police Station,
Chennai

(Crime No.1012 of 2020) ... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1012 of 2020 on the file of the respondent police.

For Petitioner : Mr.S.Mohanraj

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

O R D E R

(The cases have 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, 341, 324 and 506(ii) of IPC in Crime No.1012 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant viz. Valliammal is that due to previous enmity the petitioner along with six others assaulted the son of the defacto complainant by using knife on his head and left fore hand and fingers, then threatened the victim and complainant with dire consequences and escaped from the place of occurrence, as a result of which, he sustained injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that due to previous enmity the petitioner along with six others assaulted the son of the defacto complainant by using knife on his head and left fore hand and fingers, then threatened the victim and complainant with dire consequences and escaped from the place of occurrence, as a result of

which, he sustained injuries. He would submit that the injured has been discharged from the hospital. He would further submit that the petitioner has seven previous cases. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the petitioner has seven previous cases, this Court is not inclined to grant anticipatory bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
V1, VILLIVAKKAM POLICE STATION,
CHENNAI.

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

CRL OP.19284/2020

Date : 09/12/2020

RVR 16/12/2020

WEB COPY