



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.11667 of 2020

1. Vinoth Kumar
2. Sakthivel

... Petitioners/Accused Nos.1 & 2

Vs

State by
The Inspector of Police,
Rajapalayam North Police Station,
Virudunagar District.
Crime No.601 of 2020..

... Respondent/Complainant

For Petitioners: M/s.C.Prabakaran,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For an Anticipatory Bail in CR No.601 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 & A2, apprehending arrest at the hands of the respondent police for the offences punishable under sections 294 (b), 323, 324 and 506 (ii) of IPC, in Crime No. 601 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to property dispute between the 1st petitioner and his father/defacto complainant, the petitioners said to have abused the defacto complainant by using filthy language and also attacked him with hands and caused injuries. Hence, the complaint.

3.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent.



4.The learned counsel appearing for the petitioners submitted that the petitioners are an innocent persons and they have been falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl. Side), on instructions, submitted that there are totally 2 accused. The 1st petitioner and the defacto complainant are the son and father. The 2nd petitioner is the son of the defacto complainant's sister. Due to civil dispute between the 1st petitioner and his father/defacto complainant, the petitioners said to have abused the defacto complainant by using filthy language and also attacked him with hands and caused injuries. He further submitted that the injured was treated as inpatient.

6.Considering the facts and circumstances of the case and considering the fact the 1st petitioner has attacked his own father/injured for property, which was earned by his father/injured and also the fact that the injured was treated as inpatient, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-

16/10/2020

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,
RAJAPALAYAM NORTH POLICE STATION, VIRUDUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11667 of 2020

Date :16/10/2020

dss

<https://hcmiservices.gov.in/> (28.10.2020) 2P 3C