

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2021

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Cr1.O.P.No.715 of 2021

K.Alex Raja

... Petitioner

Vs.

The State Rep. By, ....Respondent  
The Inspector of Police,  
R-5, Virugambakkam Police Station,  
Virugambakkam, Chennai.  
(Crime No.563 of 2020)

**Prayer:** Criminal Original Petition filed under Section 438 Cr.P.C., to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police concerned in Crime No.563 of 2020 on the file of the respondent police.

For Petitioner : Mr.K.Jayakumar

For Respondent : Mr.C.Iyyappa Raj,  
Additional Public Prosecutor

ORDER

**(This case has been heard through video conference)**

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294 (b), 324, 341 and 506 (ii) IPC, in Crime No.563 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to previous motive, there was a wordy quarrel between the petitioner and the *de facto* complainant, the petitioner assaulted the *de facto* complainant with knife on his leg and neck, as a result of which, he sustained injuries. Hence, the complaint.

3. No representation for the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that this is 4<sup>th</sup> application for anticipatory bail. The allegation against the petitioner is that the petitioner assaulted the *de facto* complainant repeatedly with small knife and caused multiple injuries on his left leg and neck. He would submit that the *de facto* complainant had suffered 15 sutures on his neck and leg and later he was discharged on account of Corona Pandemic. He would further submit that this Court, finding that the petitioner has one previous case and that he was arrested and released on anticipatory bail very recently and immediately after his release, he had involved in subsequent offence, had dismissed the earlier application for anticipatory bail. He would submit that this court also imposed a cost of Rs.1,000/- payable by the petitioner to the Hon'ble Chief Justice relief fund, Madras High Court. He would submit that though the victim is stated to have been discharged from the hospital, the petitioner has assaulted the *de facto* complainant indiscriminately resulting him sustaining 15 sutures and some of the injuries were on the vital part on his neck and thereby, he would oppose for grant of anticipatory bail.

5. Though this Court had dismissed four earlier applications for anticipatory bail, it is strange that the respondent police has not taken any steps to arrest the petitioner/accused. Further, admittedly as per the respondent prosecution, the petitioner is stated to have inflicted 15 injuries and some of the injuries were near the neck. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed. The respondent police is directed to take appropriate steps to arrest the petitioner/accused.

-sd/-

22/01/2021

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.XXIII, SAIDAPET, CHENNAI.

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

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
R-5,VIRUGAMBAKKAM POLICE STATION,  
VIRUGAMBAKKAM, CHENNAI.

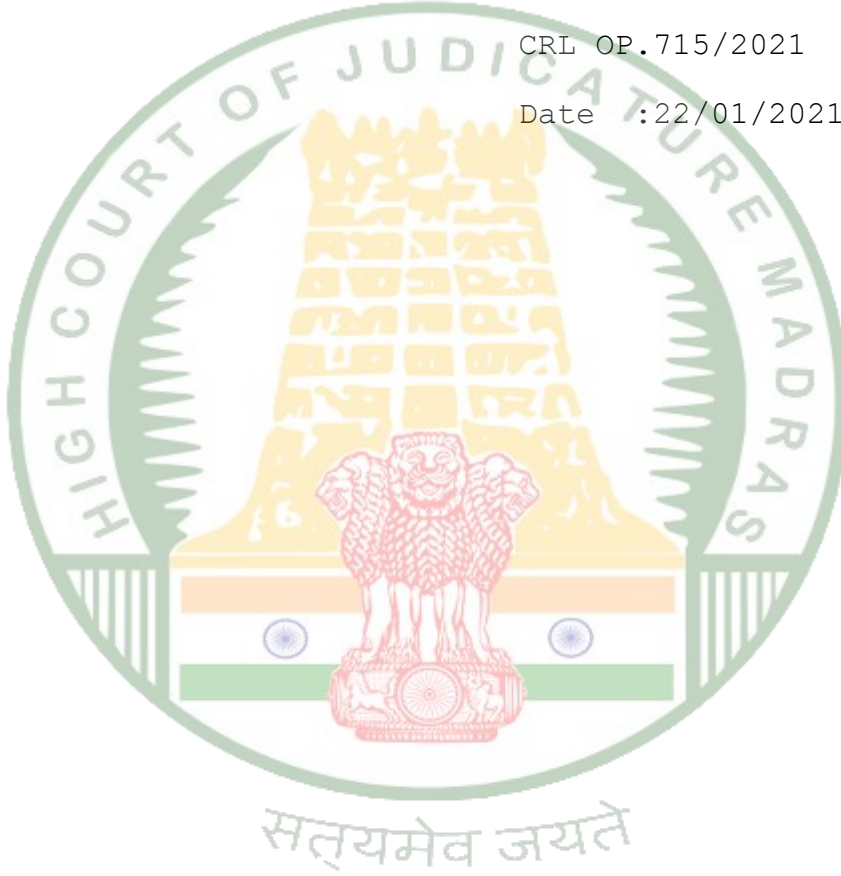
5 THE SECTION OFFICER  
ACCOUNT SECTION  
CHIEF JUSTICE RELIEF FUND  
HIGH COURT, MADRAS.

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

CRL OP.715/2021

Date :22/01/2021

TA-05/02/2021



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