

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.01.2021

CORAM

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

CRL.O.P.No.609 of 2021

1. Ramalingam
2. Annamalai
3. Saminathan
4. Govindaraj

... Petitioners

Vs.

State Rep by,
Inspector of Police,
Jamunamarathur Police Station,
Thiruvannamalai District.
(Cr.No.527 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioners on bail in the event of their arrest in Connection with the Crime No.527 of 2020 pending on the file of the respondent police.

For Petitioners : Mr.G.Vinodh Kumar
For Respondent : Mr.C.Iyyappa Raj
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 448, 294 (b), 506 (ii), 379 of IPC r/w. Section 3 of TNPP (D&R) Act, in Crime No.527 of 2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that one Rajendran was murdered and in retaliation, the petitioners along with other accused had entered into the house of the de-facto complainant and ransacked the entire house. Hence, the complaint.

3. The learned Counsel appearing for the petitioners would submit that this the third application for anticipatory bail. He would submit that the petitioners are innocent persons and they have been falsely implicated in this case and that no such incident had happened as alleged by the prosecution. He would further submit that the arrested accused have been enlarged on bail and thereby, the present application has been filed. Hence, he seeks for anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners are relatives of the defacto complainant. Due to property dispute, one Rajendran was murdered by one Annamalai and hence, the petitioners along with other accused formed into unlawful assembly, trespassed into the house of the de-facto complainant's father, abused in filthy language and ransacked the entire house and also caused damage to the household articles and thereby, caused damages to the tune of Rs.2,03,500/-. He would further submit that though the arrested accused have been enlarged on bail, the custodial interrogation of the petitioners is very much required. He would submit that after the dismissal of the second application, there is no change in circumstance. Thereby, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration that the accused have trespassed into the house of the de-facto complainant and ransacked the entire house and caused damages to the tune of Rs.2,03,500/- and that there is no change in circumstance after the dismissal of the second application, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

29/01/2021

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 INSPECTOR OF POLICE
JAMUNAMARATHUR POLICE STATION,
THIRUVANNAMALAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.609/2021

Date :29/01/2021

ksm10/02/2021