

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Third day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7662 of 2021

RANJITHKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
AMMAPET POLICE STATION,
SALEM DISTRICT.
CRIME NO.189 OF 2021.

[RESPONDENT]

For Petitioner : M/S.B.VASUDEVAN Advocate

For Respondent : M/S.T.SHUNMUGARAJESWARAN, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 448, 294 (b), 365, 323 and 506(ii) IPC in Crime Nos.189 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant married one Rathipriya @ Priya, who is the daughter of the petitioner's sister. Since the said Rathipriya did not want to live with the defacto complainant, she left the matrimonial house and lived with her grand parents. Thereafter, the defacto complainant, brought her back and lived with her again happily, again his wife did not want to continue to live with him, left his house and stayed with her grandparents' house. When that being so, the defacto complainant had given Rs.3 Lakhs to his mother in law, and when the same was demanded by him, the petitioner, who is the brother of his mother in law along with other accused had kidnapped the defacto complainant in a omni car and attacked him brutally. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and this case has been foisted against the petitioner due to preious enmity and no such occurrence had been taken place. Hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the defacto complainant married one Rathipriya @ Priya, who is the daughter of the petitioner's sister. Since the said Rathipriya did not want to live with the defacto complainant, she left the matrimonial house and lived with her grand parents. Thereafter, the defacto complainant, brought her back and lived with her again happily, again his wife did not want to continue to live with him, left his house and stayed with her grandparents' house. When that being so, the defacto complainant had given Rs.3 Lakhs to his mother in law, and when the same was demanded by him, the petitioner, who is the brother of his mother in law along with other accused had kidnapped the defacto complainant in a omni car and attacked him brutally. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Even though the defacto complainant has been discharged from the hospital, considering the fact that the petitioner along with the other accused had kidnapped and attacked the defacto complainant brutally, due to which he sustained grievous injury, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

23/04/2021

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
AMMAPET POLICE STATION,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.7662/2021

Date :23/04/2021

TA-04/05/2021