

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Cr1.O.P.No.20484 of 2020

V.Gugan,

... Petitioner

Vs.

The State rep. by
Inspector of Police,
Perugavazhathan Police Station,
Tiruvarur District.
(Crime No.119 of 2019)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.119 of 2019 pending on the file of the respondent.

For Petitioner : Mr.N.Palanivel
For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

O R D E R

(The case has been heard through video conference)

Totally, there are 9 accused and the petitioner is arrayed as A1. He apprehends arrest at the hands of respondent police for the offence punishable under Sections 147, 158, 452, 324, 307, 363, 506 (ii) of I.P.C., in Crime No.119 of 2019 and now, he has filed the above petition seeking for anticipatory bail.

2. The case of the prosecution is that all the accused persons said to have received money from the defacto complainant for getting the job, but they have failed to do so, and also refused to return the amount. When the defacto complainant has asked to return money, all the accused have abducted and attacked him, thereby caused injury to him. When the information received from the respondent police, he has thrown away his mobile phone on the road side and escaped from the scene of occurrence. Some of the accused are still absconding and some of the accused were arrested and released on bail. In the said circumstances, the criminal case has been registered against the petitioner. Now, apprehending arrest, the present petition has been filed by the petitioner seeking to grant anticipatory bail. Now, it is stated that A1 was arrested by the respondent police.

3. The learned counsel appearing for petitioner would submit that he is an innocent person and he is no way connected with the offence. He would also submit that he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is a main accused and he has only attacked the defacto complainant and caused injury to him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have heard and considered the rival submissions made by the learned counsel appearing for petitioner as well as learned Additional Public Prosecutor and perused the records.

6. Taking into consideration of the fact that the petitioner is the main accused and he has only attacked the defacto complainant, thereby caused injuries to him, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

27/01/2021

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 JUDICIAL MAGISTRATE NO.II,
MANNARGUDI.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVARUR DISTRICT.[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PERGAVAZHTAN POLICE STATION, TIRUVARUR

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

CRL OP.20484/2020

Date :27/01/2021

ksm10/02/2021