



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighth day of November Two Thousand Twenty One

PRESENT

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20903 of 2021

1 R.TAMILSELVAN
2 MOHANRAJ HARIDASS

[PETITIONERS / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
S-4, NANDAMBAKKAM POLICE STATION,
NANDAMBAKKAM,
CHENNAI - 600 089.
CRIME NO.214 OF 2021.

[RESPONDENT]

For Petitioner : M/S.MURALI, Advocate for M/S. M.MOHAMMED RAFI
Advocate

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)

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

ORDER : The Court Made the following order :-

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 294 (b), 323 and 506(i) IPC, in Crime No.214 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the 1st petitioner are known persons. On 18.09.2021, when the defacto complainant had come to the house of the 1st petitioner/A1 to discuss some issues with regard to MoU entered between them, the petitioners along with other accused assaulted the defacto complainant. Hence, the complaint.



3.The learned counsel appearing for the petitioners would submit that on the date of alleged occurrence, there was a wordy quarrel with regard to money transaction and the petitioners have not committed any offence as alleged by the prosecution and that a false case has been foisted against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor strongly objected stating that the defacto complainant was harassed by A1 with regard to the MoU which was entered between them in respect of purchase of a property belongs to the defacto complainant. While so, on the date of occurrence, when the defacto complainant went to the 1st petitioner's house, he was assaulted by the accused persons due to which, he sustained injuries. Further, the accused prevented the defacto complainant from getting treatment in the hospital.

5. It is seen that the petitioners along with other accused have not even permitted the defacto complainant to get treatment in the hospital. Considering the grave nature of offence leveled against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/11/2021

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,
S-4, NANDAMBAKKAM POLICE STATION,
NANDAMBAKKAM, CHENNAI - 600 089.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. M.MOHAMMED RAFI Advocate on payment of necessary charges

CRL OP.20903/2021

Date :08/11/2021

RW 23/11/2021