



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.23300 of 2021

K.SUNDARRAJAN @ SUNDARARAJAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
T-7 TANK FACTORY POLICE STATION,
AVADI, CHENNAI
(CR NO.415/2021)

[RESPONDENT]

For Petitioner : M/S.A.VIJAYASANKAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the offence under Section 294(b), 323, 324 and 506(ii) of IPC in Crime No.415 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are neighbours and there was a dispute between the petitioner and the defacto complainant with respect to usage of pathway, due to which, the petitioner and his son assaulted the defacto complainant with stones and caused injuries on his abdomen. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the co-accused was released on bail by the Judicial Magistrate Court, Ambattur in CMP.No.3573 of 2021 dated 03.12.2021. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate has vehemently opposed by stating that the petitioner and his son assaulted the defacto complainant with stones and caused grievous injuries on his abdomen. he further submits that he has produced the discharge summary of the



defacto complainant issued by the Miot Hospital and still the victim is taking treatment in the hospital.

5. A perusal of the Discharge Summary issued by the Miot Hospital reveals that the petitioner had sustained abdominal injuries and initially, the defacto complainant was taken treatment at Ordnance Factory Hospital, HVF/Avadi, Chennai and he was advised for taking further treatment, for which, he was admitted in the Miot Hospital on hospital on 26.11.2021 and discharged on 01.12.2021. During the course of treatment, the defacto complainant has undergone a surgery viz., Exploratory Laparotomy + Lavage + Small Bowel Mesenteric repair on 27.11.2021 and still the defacto complainant has taken continuous treatment in the Miot hospital and to that effect, he has filed an application for permission to avail treatment at CGHS Recognized Private Hospital/ Diagnostic Centre dated 05.12.2021.

6. Taking into consideration of the grievous injuries sustained by the defacto complainant and still he has taken continuous treatment in the hospital and also the fact that the grave nature of the offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
07/12/2021

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,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
T-7 TANK FACTORY POLICE STATION,
AVADI, CHENNAI.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.VIJAYASANKAR Advocate on payment of necessary
charges

CRL OP.23300/2021

Date :07/12/2021

CSK 21/12/2021