



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.23767 of 2021

Rahamathulla rep. his son
Mohammed Thowfik

... Petitioner

Versus

State rep.by its
The Inspector of Police
Podhanur Police Station
Coimbatore City,
Coimbatore District.
Crime No.1246 of 2021

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Juvenile Justice Board, Coimbatore, to consider the bail application filed by the petitioner's son namely, Mohammed Thowfik, S/o. Rahamathulla, aged about 15 years, on his surrender in connection with Crime No.1246 of 2021, on the file of the respondent police on the same day.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

O R D E R

This petition has been filed seeking a direction, to direct the learned Juvenile Justice Board, Coimbatore, to consider the bail application filed by the petitioner's son namely, Mohammed Thowfik, S/o. Rahamathulla, aged about 15 years, on his surrender in connection with Crime No.1246 of 2021, on the file of the respondent police on the same day.

2. The learned Government Advocate (Crl.Side) has submitted that in this case, the defacto complainant belongs to Adi Dravidar Paraiyar Community and he is an Auto Driver. While he returning to his home, the first accused and the petitioner's son/A2 along with some other persons came to that place in two wheeler in a rash manner and the same was questioned by the defacto complainant, wherein he was attacked



by the first accused and the petitioner's son/A2 along with 15 other persons. The defacto complainant informed the same to the respondent police, the accused persons were escaped from the said place. Thereafter, the defacto complainant went to the Government Hospital and undergone treatment for the same. Aggrieved by the same, the defacto complainant had lodged a complaint before the respondent police and a case in Crime No.1246 of 2021 came to be registered for the offence under Sections 147, 294(n), 324 IPC. He further submitted that as per the Section 12 of the Juvenile Justice Act, the Juvenile Board will grant bail on his appearance and filing bail application and hence this petition is not maintainable.

3. Considering the submission and perusal of the materials, it is seen that the fight arose while they were driving the two wheeler in a rash manner and the petitioner's father viz., Rahamathulla is ready to offer surrender his son and provide with care. Considering the same, Juvenile Justice Board is directed to dispose of the bail application of the petitioner, in accordance with law.

4. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Juvenile Justice Board,
Coimbatore.

2.The Inspector of Police,
Podhanur Police Station,
Coimbatore City,
Coimbatore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.W.Camylen Gandhi, Advocate SR. No.67766

CRL.O.P.No.23767 of 2021

SSV (CO)

PR (22/12/2021)

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