



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.6096 of 2021

Sakthikumar

... Petitioner/Accused No.5

Vs

The State rep. by its
The Inspector of Police,
Medicial College Hospital Police Station,
Thanjavur, Thanjavur District.
(Crime No.170 of 2021).

... Respondent/Complainant

For Petitioner : Mr.M.SEENI SULTHAN,
For MR.V.RAMAMURTHY
Advocate.

For Respondent : Mr.K.DINESH BABU,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.170 of 2021 on the file of
the respondent police

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for
the alleged offences punishable under Sections 294(b), 324,
506(ii), 353 and 307 of IPC and Section 3 of the Tamil Nadu Medicare
Service Persons & Medicare Service Institutions (Prevention of
Violence & Damage or Loss to the Property) Act, 2008, @ Sections
147, 148, 294(b), 324, 506(ii), 353 and 307 of IPC and Section 3 of
the Tamil Nadu Medicare Service Persons & Medicare Service
Institutions (Prevention of Violence & Damage or Loss to the
Property) Act, 2008, in Crime No.170 of 2021 on the file of the
respondent police, the petitioner has come forward with this
petition seeking anticipatory bail.



3. It is seen from the submissions made that on 09.04.2021, at about 08.15 p.m., when the defacto complainant was on duty in Emergency ward in Tanjore Medical College Hospital, one Matheshwaran was brought for treatment for the injuries suffered in a road accident, while coming in a two wheeler. When the defacto complainant enquired the said Matheshwaran about the places where he suffered injuries, the accused scolded the defacto complainant in filthy language and hit him. When the defacto complainant tried to escape from the place, he was attacked by the accused with Iron chair. Due to which, the defacto complainant suffered injuries. Hence, this case came to be registered.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case and hence, he seeks anticipatory bail.

5. The learned Government Advocate (criminal side), strongly opposed this petition on the ground that while the defacto complainant was on duty, he was prevented from his duty, the co-accused has been arrested and still in judicial custody and the investigation is in preliminary stage.

6. Considering the facts and circumstances of the case, the fact that the defacto complainant, who is working in a Government Medical College Hospital was attacked and prevented from performing his duty, the co-accused is still in judicial custody and the investigation in this case is preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

Sd/-
29/04/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE INSPECTOR OF POLICE,
MEDICAL COLLEGE HOSPITAL POLICE STATION,
THANJAVUR, THANJAVUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6096 of 2021
Date :29/04/2021

VB AKM SAR IV(20/05/2021) 3P / 3c