



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Sixth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.162 of 2022

1 GOPAL @ GOPALAKRISHNAN  
2 T.SHANMUGAM

[ PETITIONERS / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
TIRUCHENGODE RURAL POLICE STATION,  
NAMAKKAL DISTRICT  
(CRIME NO.546 OF 2021)

[ RESPONDENT ]

For Petitioners : M/S. C.S.SARAVANAN Advocate

For Respondent : MR.A.GOKULAKRISHNAN, Additional public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 341, 323 and 307 IPC, in Crime No.546 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had attacked the defacto complainant on his head and hand with wood and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that there is a case in counter and the first petitioner had given a complaint before the respondent police in Crime No.548 of 2021 as against the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor submitted that initially the case was registered under Sections 294(b), 341, 323 and 307 IPC, subsequently altered into Sections 341, 294(b), 323, 307 IPC @ Sec 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST POA Act 2015. He further submitted that the SC/ST Act anticipatory bail is not maintainable.

5. Considering the above submission made by the learned Additional Public Prosecutor, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioners to approach the appropriate forum.

-sd/-  
06/01/2022

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,  
TIRUCHENGODE RURAL POLICE STATION,  
NAMAKKAL DISTRICT

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S. C.S.SARAVANAN Advocate on payment of necessary charges

CRL OP.162/2022

Date :06/01/2022

JPA 07/01/2022