



Crl.OP.No.592 of 2022

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R.PONGIAPPAN, J.

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This criminal original petition is taken up for hearing under caption “for being mentioned”.

2. It was represented by the counsel appearing for the petitioner that in paragraph 4, it was wrongly mentioned as present case has been registered for the offence punishable under the provisions of Tamilnadu Prohibition Act. He would further submit that actually the respondent police registered a case against the petitioner for the offence punishable under Sections 341, 294(b), 323, 365 and 506(i) of IPC.

3. Now on going through the order passed by this Court, it is true there was a typographical error, as during the relevant point of time the accused was found in possession of 5 litres of illicit arrack. Whereas it is a case of kidnapping. Therefore, it would be appropriate to modify paragraph Nos.2 to 5 in the order dated 08.02.2022 in Crl.OP.No.592 of 2022. Accordingly, Registry is directed to replace paragraph Nos.2 to 5 in the order dated 08.02.2022 in Crl.OP.No.592 of 2022 with the following paragraphs:



“2. The case of the prosecution is that one, Karmugilai, the grandson of the defacto complainant was kidnapped by four unknown persons. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offences as alleged by the prosecution. He further submitted that he has been falsely implicated in this case and the co-accused has already been enlarged on bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(crl.side) appearing for the respondent police raised objection stating that investigation is pending. However he admits as of now, the person who sustained injury in the alleged occurrence, after completing treatment discharged from the hospital. Accordingly, he opposed for grant of anticipatory bail to the petitioner.



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5. Now on considering the submissions made by the learned counsel appearing on either side, being the reason that the person who sustained injury is discharged from the hospital, custodial interrogation of the petitioner may not be necessary for completing investigation. Hence, this court is inclined to grant anticipatory bail to the petitioner.”

4. Accordingly, the Registry is directed to issue a fresh order copy of the order passed in Crl.OP.No.592 of 2022 dated 08.02.2022 after making necessary correction as above.

07.03.2022

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