



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5603 of 2022

S.DHINESH

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
KOLATHUR POLICE STATION.
SALEM DISTRICT.
CRIME NO.35 OF 2022.

[RESPONDENT]

For Petitioner : M/S.D.BALAJI Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences **under Sections 294(b), 323, 353, 435, 506(ii) of IPC**, in Crime No.35 of 2022 seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. The allegation against these petitioner in the FIR is that on the direction of one Mariyappan, the petitioner had taken the JCB to the scene of occurrence and was leveling the field. Since the place belongs to the Government of Tamil Nadu, the Village Administrative Officer and his Assistant went to the spot and requested the Mariyappan and three others to stop leveling the Government Porambokku Land. However, they refused to restrain and abused the defacto complainant with filthy words and attacked them and even snatched the mobile phone and two wheeler of the defacto complainant and chased them away.



4. After informing the Revenue Inspector and Thasildar, the defacto complainant and others again went to the spot but the petitioners fled from the scene leaving behind the defacto complainant's two wheeler and his mobile phone.

5. The learned counsel for the petitioner submits that the petitioner herein is only the driver of the JCB and he has nothing to do with the allegations made by the defacto complainant.

6. However, the FIR indicates that the petitioner is one among the persons who have assaulted the VAO and his Assistant who questioned their action of leveling the Government Land.

7. Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail.

8. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
14/03/2022

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,
KOLATHUR POLICE STATION,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.BALAJI Advocate on payment of necessary charges

CRL OP.5603/2022

Date :14/03/2022

TA-22/03/2022