



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Twenty Second day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9222 of 2022

JAGADEESAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
H1 WASHERMENPET POLICE STATION,
CHENNAI
CRIME NO.244 OF 2022

[RESPONDENT]

For Petitioner : M/S.G.MOHANA KRISHNAN 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 for the alleged offence under Sections 143, 294(b), 353, 506(1) in Crime No.244 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehending arrest by the respondent police on a complaint given by the Grade Two Constable, alleging that on 29.03.2022, while on Bandobust duty at about 12.30 Hrs at night, the petitioner and others were consuming alcohol, parking their two wheeler across the road, when enquired the group and requested them to leave the place and they questioned the de facto complainant and abused him in filthy language and threatened him with dire consequences.

3. When the de facto complainant tried to take video record of their conduct, they tried to snatch his cell phone and attacked him. The de facto complainant went back to the police station, took reinforcement and thereafter cleared the gang which was obstructing



the road. The next day, he has reported the incident to the higher officials and a case has been registered. Since one of them is the husband of ward member and the other accused persons have misbehaved with the police officer and prevented him from discharging his duty.

4. The learned counsel for the petitioner would state that, by mistake and identity, the petitioner been targeted by the police and in fact, on that day, the petitioner and others were just assisting public department staffs to lay the road.

5. This Court on viewing the video clipping found that, the petitioner who claims to be the husband of the ward member has no necessity to be in the night hours in the road, even if the road work is going on. That apart, it is the specific prosecution that, the Police Constable had specifically stated that these petitioner and others were consuming alcohol in a public place, parking their vehicles across the road, causing disturbance and nuisance and same was also video graphed. On such circumstance, granting anticipatory bail to the petitioner will give a very wrong message to the public.

Accordingly, this Criminal Original petition is dismissed.

-sd/-

22/04/2022

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,
H1 WASHERMENPET POLICE STATION,
CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.MOHANA KRISHNAN Advocate on payment of necessary charges

CRL OP.9222/2022

Date :22/04/2022

JPA 02/05/2022