



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14149 of 2022

PARTHASARAY

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
D2, ANNA SALAI POLICE STATION,
CHENNAI.
CRIME NO.111 OF 2022.

[RESPONDENT]

For Petitioner : M/S. S.SHANKAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 03.05.2022 for the offences punishable under Sections 147, 148 and 302 of IPC in crime No.111 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased got admitted in a de-addiction centre i.e. Madras Care Centre for rehabilitation making to quit the alcoholic habit. After completion of his treatment, he was discharged from the rehabilitation centre. Later, again he started to consume alcohol and addicted to alcohol. Therefore, he was again admitted into rehabilitation centre on 03.02.2022. On his subsequent admission, the accused persons attacked him brutally and caused him grievous injuries on his entire body, due to which he died on 02.05.2022.

3. The learned counsel for the petitioner would submit that the petitioner is arrayed as A6 and he is also one of the inmates of the said Madras Care Centre. Only on the request of the defacto



complainant, the petitioner went to the house of the deceased and he accompanied the deceased to the de-addiction centre. The petitioner never attackd the deceased and he has no common intention along with other accused persons to attack the deceased. He would further submit that the petitioner was arrested and remanded to judicial custody on 03.05.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally 10 accused, in which the petitioner is arrayed as A6. He along with other accused persons, due to previous enmity, attacked the deceased with sticks and other deadly weapon and caused grievous injuries on the deceased, due to which he died on the said day i.e. on 02.05.2022. He would further submit that during the occurrence, the petitioner also attacked the deceased with mop and also poured hot water over the deceased. Hence, he vehemently opposed to grant bail to the petitioner.

5. On perusal of the post mortem report, revealed that the deceased sustained 42 injuries. On seeing the injuries sustained by the deceased revealed that all the accused persons brutally attacked the deceased on his all over body and as such he sustained grievous injuries. Even assuming that the petitioner is also one of the inmates of the rehabilitation centre which is run by the first accused, due to previous enmity between the first accused and the deceased with regards to complaining actually what happened in the rehabilitation centre to other general public, all the accused persons, with common intention, attacked and murdered the deceased. As far as the petitioner, he had specific overt act and he attacked the deceased with mop and also poured hot water on the deceased. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, the criminal original petition is dismissed.

-sd/-
20/06/2022

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,
D2, ANNA SALAI POLICE STATION,
CHENNAI.



2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.14149/2022

Date :20/06/2022

JPA 23/06/2022