



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15432 of 2022

1 ASARAF ALI @ UMAR
2 SHARUK

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VILLUPURAM TALUK POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO.302 OF 2022)

[RESPONDENT]

For Petitioner : M/S.R.SASIKUMAR 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 petitioners, who apprehend arrest at the hands of the respondents police for the offence punishable under Sections 147, 148, 294(b), 323, 324, 341, 342, 364, 379 and 307 of IPC in crime No.302 of 2022 on the file of the respondent police, seek anticipatory bail.

2. On 23.05.2022, due to land dispute between the defacto complainant and his sons, they along with some others kidnapped the defacto complainant and also abused him in filthy language. Thereafter, they also assaulted him with knife. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are the sons of the defacto complainant and due to some property dispute, the false complaint has been lodged against the petitioners. Hence, he seeks for grant of anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that since the father of A1 & A2 did not give share in his property to them, they along with five others kidnapped him to a nearby place and caused injury on his neck with knife. However, the defacto complainant acted as if he died, thereafter they went from that place. After some time, he shouted and people came to that place and admitted him in the hospital. He would further submit that the petitioners are friends of A1 and the victim was discharged from hospital. He would further submit that after taking treatment in the hospital for seven days as in-patient, the victim was discharged from the hospital.

6. The petitioners are sons of the victim. They kidnapped him with the help of A3 to A7 and also attacked him. Therefore, he sustained injuries and was admitted in the hospital for seven days as in-patient. Therefore, the custodial interrogation of the petitioners are very much required in this case and this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this criminal original petition is dismissed.

-sd/-
05/07/2022

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,
VILLUPURAM TALUK POLICE STATION,
VILLUPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15432/2022

Date :05/07/2022

TA-08/07/2022