



Crl.O.P.No.20941 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 427, 294(b), 324 and 307 of IPC, subsequently altered into Sections 427, 294(b) and 302 of IPC in Crime No. 187 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 04.08.2022 at about 22.00 hrs when the respondent was on duty, he received an intimation from the Government Hospital at Dharmapuri and immediately the respondent went to the hospital. At that time, one Saravanan, who was admitted as an inpatient, and his wife namely Sampoorani, who is the defacto complainant, lodged a complaint stating that the defacto complainant is residing along with her family members ; her husband went to their daughter's house by car bearing Registration No.TN 22 BM 5493, TATA INDICA and at about 3.30 p.m. her daughter called and informed the defacto complainant that the said Saravanan was way laid by the petitioner and others and they have assaulted him with ripper



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wood and also damaged car wind shield and threatened him with dire consequences and immediately the defacto complainant rushed to the place of occurrence and saw her husband laying unconscious and immediately she had taken him to the hospital. Hence, the present complaint.

3. The learned counsel for the petitioner would submit that the respondent police received the complaint and registered the FIR in Crime No.187 of 2022 for the offence under Sections 427, 294(b), 324 & 307 of IPC on 04.08.2022, thereafter on 05.08.2022 at about 1.40 p.m. the said Saravanan died and thereafter, the case was altered into Sections 427, 294(b) and 302 of IPC. On the date of occurrence the said Saravanan dashed the petitioner by car and left the place without stopping the car. The petitioner was injured and admitted in the hospital on the same day and discharged from the hospital on 06.08.2022. Therefore, he was not involved in this occurrence. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor would submit that there are totally four accused involved in this case, in which the petitioner is arrayed as A4. Initially, the case was registered in Crime No.187 of 2022 for the offence under Sections 427, 294(b), 324 & 307 of IPC and subsequently it was altered into Sections 427, 294(b) and 302 of IPC.

5. There are totally four accused, in which the petitioner is arrayed as A4. The deceased has driven a car in a rash and negligent manner and hit against the petitioner and the petitioner sustained grievous injuries. Thereafter, the deceased attempted to hit against the other accused by driving the car in a rash and negligent manner. Therefore, all the accused persons attacked the deceased with wooden log. Therefore, the deceased sustained grievous injuries and admitted in the hospital and he died on the next day.

6. A perusal of the FIR reveals that the petitioner only directed the other accused persons to attack the deceased and he was also present



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in the occurrence place and therefore, the offence is altered into one under Section 302 of IPC.

5. Considering the nature of offence committed by the petitioner, the custodial interrogation of the petitioner is very much required and hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

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