



Crl.O.P.Nos.29317 & 29320 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 01.11.2022 in Crime No.512 of 2022 for the offences punishable under Sections 147, 148, 448, 294(b), 323, 324, 307 506(ii) of IPC, and in Crime No.513 of 2022 for the offence under Sections 294(b), 397 & 506(ii) IPC, on the file of the respondent police, seeks bail.

2.1 The case of the prosecution in Crl.O.P.No.29317 of 2022 as per the de-facto complainant Sivaraj is that on 30.10.2022 around 2.00 p.m, he had seen that three youngsters along with two young women, who were in obscene manner, consumed drugs in his farm land and he had questioned them and asked them to go out of his land. While so, on 01.11.2022, around 1.00 a.m., the accused had come to the de-facto complainant's home and abused him in a filthy language and assaulted him with iron rods, causing grievous injuries and taken his mobile phone and by threatening him escaped in an auto bearing registration No. TN-06-AC-4912. Hence the case.



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2.2 The case of the prosecution in Crl.O.P.No.29320 of 2022 as per the de-facto complainant Viknesh is that on 31.10.2022, while he was returning back to his home, 5 persons, who had came in an auto bearing registration No. TN-06-AC-4912, waylaid him, abused him in a filthy language and by assaulting him with knife on his head, robbed a mobile phone from him. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner, aged about 21 years, is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner along with his friends had gone to Kallakurichi to attend his friend's marriage, where there was a quarrel with the de-facto complainant, due to which, a false complaint has been given against the petitioner. He also stated that that petitioner is in custody from 01.11.2022 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing



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for the respondent submitted that the petitioner along with his friends had gone to Kallakurichi to attend the marriage of their friend, during such time, the accused have consumed drugs in the de-facto complainant's (Crime No.512 of 2022) farm and since it was questioned by him, the accused gone to his house and by abusing him, assaulted him with iron rods, causing injuries and escaped in their auto. He further submitted that as far as the case in Crime No.513 of 2022 is concerned, the accused have waylaid the de-facto complainant and by assaulting him with knife, robbed his mobile phone. He also submitted that petitioner is a habitual offender against whom 4 previous cases are pending. He also stated that the injured has been discharged from the hospital, however, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that 4 previous cases are pending against the petitioner, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition stands dismissed.

29.11.2022

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