



Crl.O.P.No.12777 of 2023

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WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioners, who were arrested and remanded to judicial custody on 13.05.2023, for the offences punishable under Sections 120B, 448, 294(b), 427, 324 and 506(ii) of IPC in Crime No.308 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution as per the defacto complainant/Sathish is that on account of previous enmity, A5 had engaged henchmen A1 to A4, who had trespassed into his office and had brutally attacked him and caused extensive damage to the furnitures and windows, worth about Rs.30,000/-. Hence the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners have nothing to do with the alleged offence. He would also submit that the petitioners are in custody



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from 13.05.2023, hence, he prayed for grant of bail to the petitioners.

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4. Learned Government Advocate for the respondent would submit that the petitioners are the habitual offenders and rowdy elements in that area. As far as this case is concerned, A5 was having grudge over the defacto complainant, thereby he had engaged the rowdy elements to attack the defacto complainant, whereby the accused had entered into the office of the defacto complainant during daylight and assaulted the defacto complainant and caused damages to the furnitures worth about Rs.30,000/-. He further submitted that the entire episode has been recorded in the CCTV footage and apart from that, three previous cases are pending against the petitioners 1, 3 and 4 and five previous cases are pending against the second petitioner. He also submitted that the investigation is at the initial stage and the injury sustained by the victim is also grievous in nature. Thereby, he prayed dismissal of the bail petition.

5. Heard the learned counsel for the petitioners as well as the learned



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Government Advocate (crl.side) and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side and also of the fact that the petitioners, who are the rowdy elements, have entered into the office of the defacto complainant and attacked him brutally, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed for the present.

08.06.2023

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