



Crl.OP.No.19601 of 2023

WEB COPY **G.CHANDRASEKHARAN, J.**

This petition is filed to enlarge the petitioner on bail in Cr.No.306 of 2023 on the file of the Inspector of Police (Law & order), K-9, Thiru-vi-ka Nagar Police Station, Chennai.

2.It is the submission of learned counsel for the petitioner that petitioner is falsely implicated as accused in Cr.No.306 of 2023 for the offences under Sections 147, 148, 294 (b), 324, 326 & 307 I.P.C. There is no mention about the name of the petitioner in the First Information Report. Thus, it is apparent that petitioner has not involved in the alleged incident. He is in judicial custody from 22.07.2023. Thus, he seeks bail.

3.In response, the learned Additional Public Prosecutor submitted that defacto-complainant is the injured person in this case. He is an auto driver. There is a previous enmity between him and Onan @Vinoth, Prem, Vicky @Kullavicky, Prakash and Sasi in connection with getting customers. Onan@Vinoth used to threaten the defacto-complainant frequently as to why he was running his auto in his route. On 18.07.2023, at about 10.00 p.m.



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defacto-complainant was consuming alcohol near JJ Electricals, Onan @ Vinoth, Prem, Vicky @ Kullavicky, Prakash, Sasi and some others had come with knife. On seeing them, defacto-complainant tried to escape. However, he fell down in front of mechanic shop. Then the accused in this case had attacked him with knife. Onan @ Vinoth started to attack on his head and hand. Then, all others joined and attacked him indiscriminately. He further submitted that in the said attack, the defacto-complainant suffered multiple injuries on his face, head and hands. He had suffered 156 stitches to treat the injuries. Investigation in this case is not completed.

4.In support of his submission, he produced confessional statement of A1 and A2 along with statement of eye witness Udhayakumar. The reading of the statement of 161 Cr.P.C statement shows that petitioner was also present in the spot and he along with other accused had attacked the deceased with knife.

5.Considered the rival submissions and perused the records.

6.Considering the nature of offence and nature of injuries suffered by



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the defacto-complainant and active participation of the petitioner in causing injuries to the defacto-complainant, and that investigation in this case is not completed, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

04.09.2023

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