



WEB COPY



Crl.O.P.Nos.23022 & 23241 of 2023

C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.268 of 2023 registered by the respondent Police originally for the offence under Sections 294(b), 324, 324 and 506(ii) of IPC and subsequently, also included Section 307 of IPC.

2.The entire issue is an unnecessary incident of the defacto complainant going along with others to a pub in the middle of the night and the petitioners herein along with others who probably had acquaintance with one of them entered into a quarrel with the defacto complainant and his companies. The entire issue was with respect to an estranged relationship of one of the member of the accused party with a lady who had come along with the defacto complainant. There was a wordy quarrel in the first pub and thereafter, when they were moved to a second pub again in the middle of the night, there was again a wordy quarrel.

3.It is stated by the learned Senior counsel appearing on behalf of the petitioner in Crl.O.P.No.23022 of 2023 that it was the defacto complainant and his group which followed the accused persons to the second pub and continued the quarrel. But, at any rate, it is seen that with a glass bottle the defacto complainant was injured necessitating 8 stitches and one other person, Amarnath suffered a broken tooth and head injuries, which attracts Section 307 of IPC.

4.It is contended by the respondent that the injured have been discharged from the hospital yesterday i.e., 08.10.2023, but it is stated that



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vkr

the FIR has been altered to also include Section 307 of IPC and that particular provision had not been incorporated in the present application.

5.It is contended by the learned Senior Counsel that the petitioner/A3 in CrI.O.P.No.23022 of 2023 is working in United Kingdom Airlines and that he hails from a respectable family and that all of them hail from respectable families.

6.It is also stated that the defacto complainant is a influential person. It is also however seen that none of the accused have been taken into custody from the date of incident which also equally raises a presumption that they are also influential persons.

7.It is also stated that A1 had been granted bail and but again, it is contended that A1 has been granted bail, when the provision had not been altered to include Section 307 of IPC and therefore, for executing sureties, he will have to approach the Court seeking anticipatory bail for the offence under Section 307 of IPC. It is also stated that A2 has been taken into custody and is still in custody.

8.Taking into consideration all these facts, the Criminal Original Petitions are dismissed.

09.10.2023

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