



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Thirtieth day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) Nos.20608 & 20347 of 2018

C.SHANMUGAVEL

... PETITIONER / ACCUSED NO.4
IN CRL OP(MD) No.20608 of 2018

1 S.RAJKUMAR @ RAJ COUNDER

2 P.SANTHOSH

3 RAVI @ RAVIKUMAR

...PETITIONERS/ACCUSED NO. 1 TO 3
IN CRL OP(MD) No.20347 of 2018

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR DISTRICT.

(CRIME NO. 868/2018

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : Mr.R.VENKATESAN Advocate
IN CRL OP(MD) No.20608 of 2018

For Petitioners : Mr.M.JEGADEESHPANDIAN Advocate
IN CRL OP(MD) No.20347 of 2018

For Respondent : Mr.K.SUYAMBULINGA BHARATHI Govt. Advocate
(Crl. Side) IN BOTH PETITIONS

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 307 and 379 of IPC., and Section 3(1) of TNPPDL Act, 1992, in Crime No.868 of 2018, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, the accused assaulted the defacto complainant with iron rod all over the body and thereby caused head severe injuries.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel appearing for the petitioners would



submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Further, A4 in this case is a college student, studying B.Com., III year in Kongu College of Arts and Science, Karur, and he has to attend the Semester examinations.

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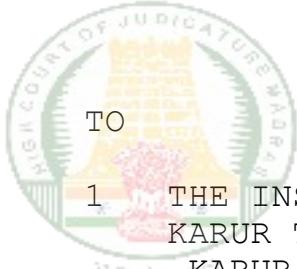
4. The learned Government Advocate (crl.side) appearing for the respondents, on instructions would submit that the defacto complainant Sivakumar, who is organising Secretary of 'Kongudesa Marumalarci Makkal Katchi'. On 09.11.2018, he along with his relative Jeyaraman, who belongs to organising Secretary of 'Pudhiya Dravida Kazhakam' had gone to attend the marriage at Soliamman Temple, Aathur, in a car, which was driven by one Gowtham. Thereafter, they had gone to meet one Rajkumar @ Raj Gounder of 'Pudhiya Dravida Kazhakam', who was in Rajini Bus Depo, Kodumudi, to ask for return back of Rs.7,00,000/- which he had received from the said Jeyaraman. At that time, the petitioners herein, were there in the Depo. The said Jeyaraman, when asked for his money, Rajkumar got furious and asked the other accused to attack him and hence, the defacto complainant and the said Jeyaraman were assaulted by A1 to A4 in this case with rod, steel plates and whatever is available in the shed and these two persons were indiscriminately assaulted. The said Sivakumar was assaulted by the accused on his head, right hand, and both the legs below his knee. The said Jeyaraman was attacked on his head and on his knee. Both the injured were taken to the Government Hospital, Karur, and admitted for treatment. Further, the accused had also damaged the Innova Car of the defacto complainant to the value of 1,00,000/- and taken away 3 sovereigns of gold chain, cash, ATM cards and other valuables in the car. From the hospital, the respondent police received the information and registered the case against the accused persons.

5. Considering the above facts and circumstances of the case and also taking note of the facts that the defacto complainant and said Jeyaraman had been severely injured and are immobilized and still they are taking treatment, as inpatient in Government Hospital, Karur, and the contention that A4 has to write the examinations, cannot be acceded, as the exam dates by now more or less over, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, the Criminal Original Petitions are dismissed.

sd/-
30/11/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR DISTRICT.

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2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS/VR-MMS/SAR-4/04/12/2018/3P/3C

ORDER
IN
CRL OP (MD) Nos. 20608 & 20347 of 2018
Date : 30/11/2018