



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

Thursday, the First day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17148 of 2015

S.RAJESH

... PETITIONER/ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
FORT POLICE STATION(CRIME),
TRICHY.
(CRIME NUMBER. 606 OF 2015)

... RESPONDENT/COMPLAINANT

MANNAN MOHAMMED

... PETITIONER/INTERVENER

For Petitioner : M/S J.POTHIRAJ Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

For Intervenor : Mr.V.Illanchezian, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who arrayed as an accused apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC in Crime No.606 of 2015 and hence, seek anticipatory bail.

2.The earlier application of this petitioner was dismissed on 11.8.2015.

3.The learned counsel for the Petitioner submitted that after dismissal of the earlier application, third accused was arrested and released on bail. The Petitioner has no bad antecedent. The defacto complainant was doing business even after he returned from the prayer, but he chose to file the present complaint only on the next day and the delay was not explained. The alleged conversation of the petitioner cannot be relied on to reject the anticipatory bail for the Petitioner.

4.It is further submitted that due to business enmity between the first accused/A2 and defacto complainant, a false case was given against the accused.

5.Per contra, the learned counsel for the Intervenor and the Government Advocate(Crl.side) reiterated the earlier submissions and further contended that there is no change of circumstances and the Petitioner herein is the prime accused in this case.



6.Considering the nature of allegations and submissions made on either side, this Court is of the view that there is no change of circumstances and this Court finds no merit in the Criminal Original petition.

7.Accordingly, the Criminal Original petition is dismissed.

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sd/-
01/10/2015

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

TO

1 THE INSPECTOR OF POLICE, FORT POLICE STATION(CRIME), TRICHY.

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

+one cc to M/s.V.Illanchezian, Advocate in SR.No. 57986

ORDER
IN
CRL OP(MD) No.17148 of 2015
Date :01/10/2015

CSL/JGB/SAR-I/09.10.2015
2P/4C