



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

Wednesday, the Eighteenth day of November Two Thousand Fifteen

PRESENT

THE HON'BLE MR JUSTICE S.VAIDYANATHAN

CRL OP(MD) No.21660 of 2015

JOHN BRITTO @ BABY JOHN @ JOHN PETER, ... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP.BY THE SUB INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION,
KANYAKUMARI DISTRICT
(CRIME NO.440/.2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.M.VISHNUVARTHANAN Advocate

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

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

ORDER : The Court Made the following order :-

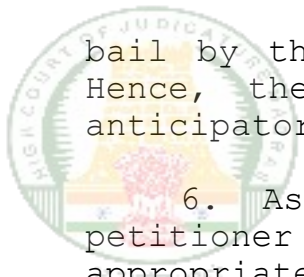
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 353 and 506(ii) IPC in Crime No.440 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 30.09.2015, when the Pudukkottai Police Station Police personnels were on roaming duty near Ramanthurai Church, four named persons in the F.I.R and 10 known persons in that locality were creating a tense situation in that area. When the Police advised them to go away from that place, they uttered filthy language against the Police and prevented the police to discharge their official duty. Further, they threatened the Police personnels endangering to their life.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence and he has been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. Heard the learned Government Advocate (Criminal Side), who would submit that A-3 and A-4 in this case have already been granted anticipatory bail in Crl.O.P.(MD).No.19216 of 2015 on 06.10.2015 and the petitioner has been arrayed as A-2.

<https://hcservices.courts.gov.in/hcservices/> Crl.O.P. is brought to the attention of this Court by the petitioner that the petitioner herein was also granted anticipatory



bail by this Court, but conditions have not been complied with. Hence, the petitioner has come forward with this petition for anticipatory bail.

6. As anticipatory bail has already been granted to the petitioner and the conditions have not been complied with, the appropriate remedy for the petitioner is to seek extension of time before the said Court and not to approach this Court by way of another anticipatory bail petition. At the time of pronouncing the order, it has been stated that Extension of Time Petition was also dismissed.

7. Since Extension of Time Petition was already dismissed, this Court is of the view that the petitioner has to work out his remedy only in the manner known to law and the relief sought for by the petitioner cannot be granted.

8. Accordingly, this petition for anticipatory bail is dismissed.

sd/-
18/11/2015

/ TRUE COPY /

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

TO

1. THE SUB INSPECTOR OF POLICE
PUTHUKADAI POLICE STATION, KANYAKUMARI DISTRICT

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

+1. CC to M/S P.M.VISHNUVARTHANAN Advocate SR.No.66139

ORDER
IN
CRL OP(MD) No.21660 of 2015
Date :18/11/2015

GJM/AMF/SARII-23.11.2015-2P-4C