



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

Tuesday, the Seventeenth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.4283 of 2015

THENSELVAM

... PETITIONER/ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
THIRUVERUMPUR POLICE STATION,
TRICHY DISTRICT.
(CRIME NO. 45 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 offence punishable under Sections 294(b) and 307 IPC, in Crime No.45 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. This is a second application for Anticipatory Bail and the first application for Anticipatory Bail was dismissed by this Court, on 10.02.2015, by a well considered order.

3. The case of the prosecution is that the *de facto* complainant is serving as Army Personnel and he had come on 15 days holiday to his village. This petitioner and his brother - Thiyagarajan went to the house of *de facto* complainant and called him out for talking. Believing them, he went with them and suddenly the said Thiyagarajan took an Iron Rod and this petitioner caught hold of the *de facto* complainant and Thiyagrajan assaulted him indiscriminately. The said Thiyagarajan has been arrested by the police and released on bail and this petitioner has not been arrested. Hence, this petition for Anticipatory Bail.

4. The learned counsel for the petitioner submits that the said Thiyagarajan has been arrested by the police and released on bail. In the considered opinion of this Court, that cannot be a good reason to grant Anticipatory Bail to the petitioner herein, in view of the serious nature of allegation against him and further the *de facto* complainant, being an Army Man, has come to his village on 15 days holiday and he has been assaulted severely.



5. Taking into consideration of the above, this Court is not inclined to grant Anticipatory Bail to him. Accordingly, this petition stands dismissed.

sd/-
17/03/2015

/ TRUE COPY /

WEB COPY

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

TO

1. THE INSPECTOR OF POLICE
THIRUVERUMPUR POLICE STATION,
TRICHY DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

SR : 20.03.2015 : 2P/3C

ORDER
IN
CRL OP(MD) No.4283 of 2015
Date :17/03/2015