



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

Friday, the Ninth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.16931 of 2016

1 SANTHANAM MARIAPPAN @ APPAUAYAN
2 MARUTHIAN ... PETITIONER/ACCUSED 1 AND 2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO.278 OF 2016 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MOORTHY Advocate

For Respondent : MR.A.P.BALASUBRAMANI,
Government Advocate (Crl.side)

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

ORDER : The Court Made the following order :-

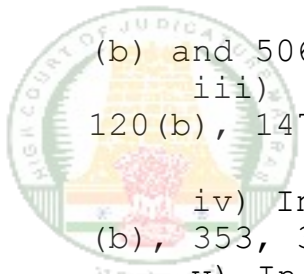
The petitioners, who are arrayed as Accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(ii) IPC and Section 3 of TNPPDL Act and Section 4 of TNPHW Act, in Crime No.278 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the accused assaulted the defacto complainant and abused her in filthy language.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) would submit that the petitioners are habitual offenders and the first petitioner is having the following nine previous cases:-

- i) In Crime No.70 of 2010 for the offences under Sections 323 and 506(ii) IPC,
- ii) In Crime No.591 of 2011 for the offences under Sections 294



(b) and 506(ii) IPC;

iii) In Crime No.568 of 2013 for the offences under Sections 120(b), 147, 148, 294(b), 302, 447 and 506(ii) IPC;

iv) In Crime No.326 of 2014 for the offences under Sections 294(b), 353, 307, 379, 506(ii) IPC and Section 4 of TNPWH Act;

v) In Crime No.96 of 2015 for the offences under Sections 109, 294(b), 506(i) IPC and Section 4 of TNPWH Act;

vi) In Crime No.96 of 2015 for the offence under Section 379 IPC;

vii) In Crime No.160 of 2010 for the offence under Section 392 IPC;

viii) In Crime No.590 of 2011 for the offences under Sections 147, 148, 294(b) and 307 IPC and

ix) In Crime No.741 of 2011 for the offences under Sections 341, 294(b), 387 and 506(ii) IPC.

5. In view of the fact that the petitioners are habitual offenders and also involved in several crimes, this Court is of the opinion that the petitioners are not entitled for anticipatory bail and accordingly, this Criminal Original Petition is dismissed.

sd/-

09/09/2016

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION, TIRUNELVELI DISTRICT .

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

PS

CSL/DB/SAR-III/21.09.2016: 2P/3C

ORDER

IN

CRL OP(MD) No.16931 of 2016

Date : 09/09/2016