

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Nineteenth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mrs Justice S. RAMATHILAGAM

CRIMINAL ORIGINAL PETITION No.20491 of 2018

JANA @ JANARATHAN

[PETITIONER / ACCUSED]

Vs

STATE BY
INSPECTOR OF POLICE,
MUTHAILPET POLICE STATION,
PONDICHERRY.
CR.NO.27 OF 2017

[RESPONDENT]

For Petitioner : M/S.R.THAMARAISELVAN Advocate

For Respondent : MR.D.BHARATHA CHAKRAVARTHY Public prosecutor
for Pudhucherry

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 294(B), 323, 324, 364(A), 347 and 386 IPC r/w 149 IPC in Crime No.27 of 2017 on the file of the respondent/police, seeks anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that the petitioner, his brothers and others have forcibly taken the defacto complainant in a Tata Sumo car and thereby to Munthuri thoppu and at the knife point obtained his signatures in 15 blank Promissory Notes and in 3 typed papers and taken the money from the defacto complainant and also threatened him with dire consequence. Hence, the defacto complainant lodged a complaint against the petitioner.

4. The learned counsel for the petitioner would submit that already there are civil disputes pending between the petitioner's mother and the defacto complainant and hence he has been falsely implicated in this case. The learned counsel would further submit that totally 8 persons were involved in this case, 6 persons have already been released on bail.

5.The learned Additional Public Prosecutor (Pondicherry) would submit that the petitioners has involved in 5 previous cases and investigation is also pending. Hence, the learned Additional Public Prosecutor has vehemently opposed to grant anticipatory bail to the petitioner.

6.Taking into consideration the nature of the allegation and the submissions made by the learned Additional Public Prosecutor (Pondicherry), that there are five previous cases pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
19/09/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
MUTHAILPET POLICE STATION,
PONDICHERRY

2 THE ADDITIONAL PUBLIC PROSECUTOR
PONDICHERRY

CC to M/S.R.THAMARAISELVAN Advocate on payment of necessary charges

+1CC to O/O.Public Prosecutor for Pudhucherry SR.NO. 17975

CRL OP.20491/2018

Date :19/09/2018

cm 01/10/2018