

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice N. SATHISH KUMAR

CRIMINAL ORIGINAL PETITION No.15871 of 2018

N.B.KOTEESWARAN

[PETITIONER / ACCUSED]

Vs

STATE

[RESPONDENT]

THE INSPECTOR OF POLICE,
K-3 AMINJIKARAI POLICE STATION,
CHENNAI-600 029.
CR.NO.233 OF 2018.

For Petitioner : M/S.R.CHITHIRAPUTHIRAN Advocate

For Respondent : MR. B.ARULMOZHIMARAN, GOVERNMENT 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 for the alleged offences under Sections 294(b), 353 and 506(ii) IPC in Crime No.233 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. This is the second application seeking anticipatory bail. The learned counsel for the petitioner submitted that the previous anticipatory bail application was dismissed by this Court on 30.05.2018 and despite that, the respondent has not taken any action to complete the investigation. Further the learned counsel for the petitioner submitted that the petitioner being a practising Advocate be enlarged on bail. The Public Prosecutor was mere silent spectator. This Court finds that the petitioner is facing serious crimes including the murder for gain in Cr.No.1128 of 2008 and dacoity in Crime No.456 of 2016, and various other offences. Despite the above criminal cases, this case is also added to his credit. Even though the application was dismissed on 30.05.2018, the Investigating Officer or the State are mute spectators and have not taken steps either to secure the accused or to complete the investigation. The conduct of the prosecution agency also gives an impression that they are taking this very lightly. At any event, there is no change of circumstances, for entertaining the second application.

3. Taking into consideration the facts and circumstances of the case submissions made by the learned counsel for the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
22/06/2018

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,
K-3 AMINJIKARAI POLICE STATION,
CHENNAI-600 029.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15871/2018

Date :22/06/2018

MLT-28/06/2018