



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

Wednesday, the Seventeenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.750 of 2018

1 ARUMUGAM
2 MAHARAJAN

... PETITIONERS / ACCUSED No.1 & 2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
MORAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.

CRIME NO.6/2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.M.PRABU Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

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

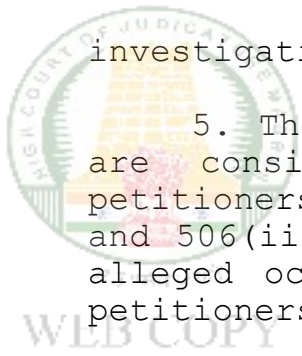
ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 307 and 506(ii) of IPC, in Crime No.6 of 2018, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 09.01.2018, due to previous enmity, the defacto complainant lodged a complaint against the petitioners alleging that the petitioners assaulted the defacto complainant using iron rod and threatened him with dire consequences. Hence, the present case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not been committed any offence as alleged by the prosecution. He would further submit that the petitioners have been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that nobody was injured in the alleged occurrence. He further submitted that the first petitioner has 16 previous cases and the second petitioner has three previous cases. He also produced the list of previous cases pending against these petitioners. According to the prosecution, the



investigation is still pending.

5. The submissions made by the learned counsel on either side are considered. This case has been registered against the petitioners for the alleged offence under Sections 341, 294(b), 307 and 506(ii) IPC. As per the prosecution, nobody was injured in the alleged occurrence. However, as per the case of prosecution, the petitioners herein are previously having the following cases:

Cases pending against the first petitioner/A1:

Sl.No.	Name of the Police Station	Crime No.	Under Sections
1	Murappanadu	19/2017	379 IPC
2	Murappanadu	20/2017	279, 337@ 279, 337, 279 IPC
3	Murappanadu	168/2017	341, 294(b), 506(i) IPC
4	Tirunelveli Taluk	117/2017	279, 337, 304(A) IPC
5	Tirunelveli Taluk	171/2017	379 IPC
6	Seevalaperi	61/2012	147, 148, 341, 294(b), 323, 506(i) IPC
7	Seevalaperi	17/2013	379 IPC
8	Seevalaperi	53/2013	294(b) IPC
9	Seevalaperi	65/2013	387, 506(ii) IPC
10	Seevalaperi	72/2013	294(b), 323, 342, 506(i) IPC
11	Seevalaperi	81/2013	379 IPC
12	Seevalaperi	167/2014	110 Cr.P.C.
13	Seevalaperi	122/2015	379 IPC
14	Seevalaperi	221/2016	337 IPC r/w 21(1) Mines and Minerals Act, 1957
15	Seevalaperi	29/2017	379 IPC
16	Seevalaperi	122/2017	294(b), 307, 506(ii) IPC

Cases pending against the second petitioner/A2:

Sl.No.	Name of the Police Station	Crime No.	Sections
1	Seevalaperi	65/2013	387, 506(ii) IPC
2	Seevalaperi	72/2013	294(b), 323, 342, 506(i) IPC
3	Seevalaperi	122/2015	379 IPC

So considering the number of cases pending against these petitioners, it clearly shows that the petitioners are habitual offenders. Hence, this Court came to the conclusion that if these type of accused/petitioners are released on bail, they may be tamper



the witness and hamper the investigation. Accordingly, this Criminal Original Petition is dismissed.

sd/-
17/01/2018

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

TO

- 1 THE INSPECTOR OF POLICE
MORAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

PJL
JAM/05/02/2018/PM-PN/ SAR 1 / 3P-3C

ORDER
IN
CRL OP(MD) No.750 of 2018
Date :17/01/2018