



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

Thursday, the Twenty Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1205 of 2018

RAJENDRAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
MASARPATTI POLICE STATION,
TUTICORIN DISTRICT.
CR.NO.66 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.SUBBARAJ Advocate

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

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

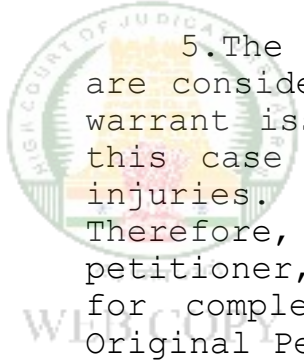
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 332, 307 and 506(ii) I.P.C., in Crime No.66 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the Sub Inspector of Police, who is the defacto complainant, stating in his complaint that on 02.08.2017, when he along with other police constables went to the petitioner's house to execute the warrant in Crime No.84 of 2010, the petitioner along with 2nd accused in this case have joined together, pulled down the defacto complainant and other constables. Further they abused the defacto complainant in filthy language and escaped from the place of occurrence.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that during the time of executing the warrant issued by the Court, the petitioner herein and second accused in this case have assaulted the Sub Inspector of police and caused injuries. According to him, investigation is not completed.



5. The submissions made by the learned counsel on either side are considered. It is alleged that during the time of executing the warrant issued by the Court, the petitioner and second accused in this case have assaulted the Sub Inspector of police and caused injuries. So, this type of offence cannot be dealt leniently. Therefore, considering the gravity of offence committed by the petitioner, custodial interrogation of the petitioner is necessary for completing the investigation. Accordingly, this Criminal Original Petition is dismissed.

sd/-
25/01/2018

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.1205 of 2018
Date :25/01/2018

MKV-CM-VR-SAR 4/1.2.2018/2P-3C