



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

Thursday, the First day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1563 of 2018

MANICKAM

... PETITIONER / ACCUSED NO.7

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VALLAM POLICE STATION,
THANJAVUR DISTRICT.
IN CR.NO. 393 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.ARUN PRASD Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl.Side)

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

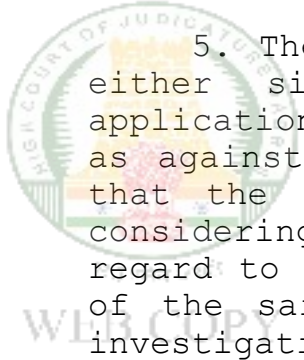
ORDER : The Court Made the following order :-

The petitioner/Accused No.7, who apprehends at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324 and 307 of IPC., in Crime No.393 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that due to the civil dispute, the petitioner along with other accused assaulted the defacto complainant by using knife and wooden log, thereby, he sustained injuries. Hence, this case has been registered for the above said crime.

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

4. The learned Government Advocate (Criminal Side) appearing for the respondent on instructions, would submit that the petitioner along with other accused assaulted the defacto complainant and specific overtact is attributed against this petitioner. He further submitted that the injured has been discharged from the hospital. According to the prosecution, the investigation is in progress.



5. The submissions made by the learned counsels appearing for either side are considered. The earlier anticipatory bail application filed by the petitioner and other accused was dismissed as against this petitioner on 09.01.2018 by this Court, observing that the name of the petitioner is found in the FIR and also considering the overtact attributed against the petitioner with regard to the offence committed by the petitioner. After dismissal of the said application, no progress is made in the process of investigation. Eventhough, the first accused in this case was released on bail, only after get into the custody, he was released on bail. So, the reasons submitted by the petitioner for considering this application is not sufficient for allowing this application. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
01/02/2018

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

TO

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

ORDER
IN
CRL OP(MD) No.1563 of 2018
Date :01/02/2018

MKV-CM-SAR 1/19.2.2018/2P-3C