



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

Wednesday, the Thirty First day of January Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

CRL OP(MD) Nos.184, 185 & 634 of 2018

1 D.ARASAN  
2 AHAMED KANI

... PETITIONERS / ACCUSED NO.1 & 2  
IN CRL OP(MD)No.184 of 2018

CHANDRASEKAR @ CHANDRASEKARAN

... PETITIONER / ACCUSED NO.4  
IN CRL OP(MD)No.185 of 2018

1 N.HARISH PRAVEEN

2 R.RANJITH KUMAR

... PETITIONERS / ACCUSED NO.4 & 5  
IN CRL OP(MD)No.634 of 2018

Vs

THE STATE REP.BY,  
THE INSPECTOR OF POLICE  
UTHIRAKOSAMANGAI POLICE STATION,  
RAMANATHAPURAM DISTRICT,  
CRIME NO.70 OF 2017

... RESPONDENT / COMPLAINANT  
IN ALL THE PETITIONS

For Petitioners : M/S.V.SUKUMAR Advocate  
IN CRL OP(MD)Nos.184 & 185 of 2018

For Petitioners : M/S.M.BOOPATHI PANDIYAN Advocate  
IN CRL OP(MD)No.634 of 2018

For Respondent : MR.K.SUYAMBULINGA BHARATHI  
Govt. Advocate ( Crl. Side) IN ALL THE PETITIONS

For Intervenor : MR.G.MOHANKUMAR Advocate  
IN CRL OP(MD)Nos.184 & 185 of 2018

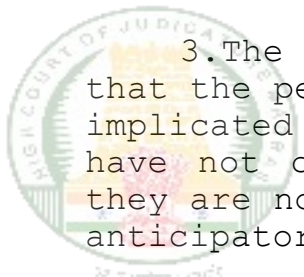
For Intervenor : MR.M.S.JEYAKARTHIK Advocate  
IN CRL OP(MD)No.634 of 2018

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

ORDER : The Court Made the following order :-

The petitioners / A1, A2, A4, A5 & A6, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 450, 294(b), 324, 307 & 109 IPC in Crime No.70 of 2017, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein  
<https://hservices.ecourts.gov.in/hservices/cases.aspx> trespassed the de facto complainant's house and threatened and also assaulted.



3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.side) submitted that investigation is still pending.

5.The submissions made by the learned counsel on either side are considered. The petitioners in Crl.O.P.(MD)No.184 of 2018 are arrayed as A1 & A2 and the petitioner in Crl.O.P.(MD)No.185 of 2018 is arrayed as A4 and the petitioners in Crl.O.P.(MD)No.634 of 2018 are arrayed as A5 & A6. It is alleged that during the time of occurrence, the petitioners herein along with another one accused joint together and assaulted the de facto complainant. As a result of which, the left hand of the de facto complainant is broken, further, he sustained head injuries and taking treatment still now. Further more, all the petitioners are having one previous case. Before the alleged occurrence, all the petitioners were granted anticipatory bail by the District Sessions Judge, Ramanathapuram for previous case and the said Court directed them to appear before the Sub Inspector of Police, Ottansathiram. Without complying with the said condition, the petitioners are before this Court with the present petition by committing the above said offence. The attitude of the petitioners shows that they have not obeyed the law. Hence, if, these type of accused are released on bail, there may be a chances to tamper the witnesses and hamper the investigation.

6.Taking the above said aspects into consideration and having regard to the nature of offence committed by the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners at this stage. Accordingly, these Criminal Original Petitions are dismissed.

sd/-  
31/01/2018

/ TRUE COPY /

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

TO

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

ORDER IN  
CRL OP(MD) Nos.184, 185 & 634 of 2018  
Date :31/01/2018