



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

Wednesday, the Twenty First day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.2508 of 2018

1 A.MURUGAN @ MURUGANDI
2 KANTHARI

... PETITIONERS / ACCUSED NO.1& 2

Vs

STATE REP.BY
THE SUB-INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI, TIRUNELVELI DISTRICT,
IN CRIME NO.12 OF 2018 ... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.M.MARAN Advocate

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

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

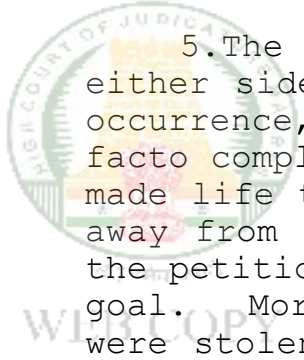
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 353, 307, 506(ii) and 379 (Sand Theft) IPC in Crime No.12 of 2018, seek anticipatory bail.

2.The case of the prosecution is that when the de facto complainant and his party doing their regular patrol duty, one Tata Ace vehicle came in rash and negligent manner and the same was questioned by the de facto complainant. At that time, the petitioners abused the de facto complainant in filthy language and also threatened him. Hence, the present case has been registered.

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 counsels appearing on either side are considered. It is alleged that during the time of occurrence, the petitioners and another one accused waylaid the de facto complainant and abused him by using filthy language. Further, made life threat to the de facto complainant. After that, they ran away from the scene of occurrence. So, the above facts show that the petitioners are ready to commit anything in order to reach their goal. More over, during the time of occurrence, the petitioners were stolen ½ unit river sand. Further, the very same petitioners herein filed a anticipatory bail petition on 12.01.2018 and the same was dismissed. Without any changing circumstances, the petitioners filed the present petition.

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, this Criminal Original Petition is dismissed.

sd/-
21/02/2018

/ TRUE COPY /

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

TO

- 1 THE SUB-INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI, TIRUNELVELI DISTRICT,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/CM/VR/SAR-2-16.3.18-2P-3C

ORDER
IN
CRL OP(MD) No.2508 of 2018
Date :21/02/2018