



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

Monday, the Eighth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.258 of 2018

A.ANEESH

... PETITIONER / ACCUSED NO.4

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT
(CRIME NO.335 OF 2012)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MALAIKANI Advocate

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

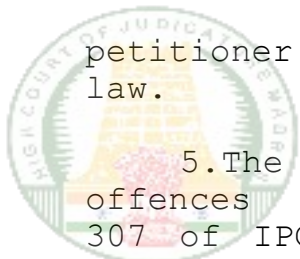
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / accused No.4, who was arrested on 12.04.2013 for the offence punishable under Sections 147, 148, 342, 332, 333, 353, 307 of IPC r/w Section 25(1)(a) of Arms Act and Section 174 of Criminal Procedure Code 147, 148, 342, 332, 333, 353, 307 r/w Section 149 of IPC, in Crime No.335 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 12.03.2012, the police party searching for accused Varichur Selvam in Suganya lodge, at Dindigul. When they knocked the door of room No.111, the said accused opened the door and on identification of police, he pushed them and other accused attempted to stab the police people, and when the Inspector of Police shot the gun one accused sustained injury on his left shoulder and in the occurrence one of the accused died and all others are escaped, thereby the case was registered against the accused.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offences as alleged by the prosecution and the petitioner is an innocent person. The petitioner was in judicial custody from 12.04.2013.



petitioner is released on bail, definitely he would abscond from the law.

5.The submissions made by either side are considered. The offences punishable under Sections 147, 148, 342, 332, 333, 353, 307 of IPC r/w Section 25(1)(a) of Arms Act and Section 174 of Criminal Procedure Code 147, 148, 342, 332, 333, 353, 307 r/w Section 149 of IPC, have been registered against the petitioner. The respondent police registered the case in the year of 2012. Thereafter, till 2015 the petitioner is not regularly appearing before the Court. Only after execution of PT Warrant, the petitioner herein remanded to the Judicial Custody.

6.In the above circumstances, considering the previous antecedents offences of the petitioner, this Court is come to the conclusion, that if this type of petitioners are released on bail, he may again try to abscond from the appearance before the Judicial Magistrate. Hence, this Court is not inclined to grant bail. Hence this Criminal Original Petition is dismissed.

sd/-
08/01/2018

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

3. THE OFFICE INCHARGER,
SUB-JAIL, EARNAKULAM, KERALA

+1. CC to M/S.S.MALAIKANI Advocate SR.No.439

JAM/11/01/2018/RR/ SAR 3 / 2P-5C

ORDER
IN
CRL OP(MD) No.258 of 2018
Date :08/01/2018