



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

Monday, the Twenty Sixth day of February Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2978 of 2018

GANESH @ ESAKKI GANESH

... PETITIONER/3rd ACCUSED

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.68 OF 2018)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.P.NARAYANAKUMAR, Advocate

For Respondent : M/S.A.ROBINSON, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 341, 294(b), 387 and 506(ii) of IPC., in Crime No.68 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that on 20.02.2018, at about 8.00 a.m., nearby Sakkadaipalam, the petitioner and 2 other accused waylaid the defacto complainant, abused him by using filthy language and demanded money by threatening him at knife point. When the defacto complainant refused to give money, the accused persons tried to take money from the pocket of the defacto complainant. Hence, based on the complaint given by the defacto complainant, the case has been registered against the petitioner and other accused for the above said incident.

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. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the investigation is still pending.

5. The submissions made by the learned counsels appearing for either side are considered. It is alleged that during the time of occurrence, the petitioner and two other accused waylaid the defacto complainant and demanded money by threatening him at knife point. When the defacto complainant refused to give money, at that time the petitioners specifically stated "தண்ணீர் அடிக்க பணம் கொடு". Now, after registering the case, two other accused were arrested and remanded to judicial custody. So, considering the nature of offence committed by the petitioner, this Court is of the view that if these type of petitioners are released on bail, there may be a chance of tampering the witness and hampering the investigation. Hence, considering the above said facts and other circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/02/2018

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.2978 of 2018
Date :26/02/2018

PK/RR/SAR-4/16.03.2018 : 2P/3C