



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

Friday, the Twenty Third day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4608 of 2018

1 ARASANRAI
2 HARIS PRAVEEN
3 AHAMED KANI
4 RANJITH

... PETITIONERS/ ACCUSED NO.1,3,4,5

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
UTHIRAKOSAMANGAI POLICE STATION,
RAMANATHAPURAM DISTRICT,
CRIME NO.69 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.A.ARPUTHARAJ, Advocate
For Respondent : M/S.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A1,A3,A4 and A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 427, 506(ii) I.P.C., and Section 3 of Tamil Nadu Public Property (Prevention of Damages & Loss) Act, 1992, in Crime No.69 of 2017, seek anticipatory bail.

2.The case of the prosecution is that the on 01.12.2017, the petitioners and other accused in this case unlawfully assembled with deadly weapon, attacked the defacto complainant and caused injuries. Hence, a case has been registered for the above said offences.

3.The submissions made by the learned counsel appearing on either side are considered.

4.The petitioners herein are arrayed as accused nos. 1, 3, 4 and 5 in Crime No.69 of 2017 on the file of the respondent police. They were already granted anticipatory bail by the learned Principal District and Sessions Judge, Ramanathapuram in Cr.M.P.No.2926 of 2017 dated 12.12.2017 with condition that the petitioners shall report before the Oddanchathiram Police Station, Dindigul District, daily at 10.00 a.m and 5.00 p.m. Until further orders.



5. Thereafter, the petitioners herein have not complied the condition passed by the learned Principal District and Sessions Judge, Ramanathapuram in Cr.M.P.No.2926 of 2017 dated 12.12.2017. Thereby, the respondent police moved an application for cancelling the anticipatory bail granted in favour of the petitioners. The learned District and Sessions Judge also considered the said aspects and cancelled the anticipatory bail granted in favour of the petitioners in Cr.M.P.No.350 of 2018, dated 22.02.2018. Now the very same petitioners filed this petition for the same relief.

6. Therefore, considering the previous antecedents of the petitioners, particularly not obeyed the order passed by the judicial forum shows that the petitioners are not the law abiding citizen. If this type of petitioners are granted anticipatory bail, they may tamper the witness and hamper the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the Criminal Original Petition is dismissed.

sd/-
23/03/2018

/ 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.

+1. CC to M/S.A.ARPUTHARAJ Advocate SR.No.4803

ORDER
IN
CRL OP(MD) No.4608 of 2018
Date :23/03/2018

msa

MS/SV-MMS/SAR-4/23.04.2018/2P.4C