



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

Wednesday, the Tenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.16487 of 2017

ARUN @ PANNENDU

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION, MADURAI,
(CRIME NO.1009 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner :M/S.R.PON KARTHIKEYAN Advocate

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

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

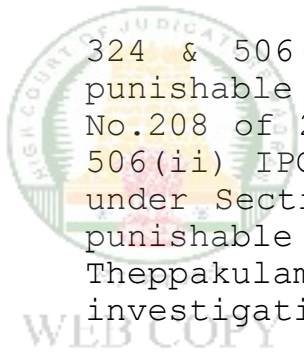
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 341, 302 IPC in Crime No.1009 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused assaulted the husband of the de facto complainant with deadly weapons and caused the death of him.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is having 8 previous cases in Crime No.545 of 2015 for the offences punishable under Sections 147, 148, 341, 302, 109 & 120 (b) IPC and in Crime No.709 of 2013 for the offences punishable under Sections 285 & 379 IPC and in Crime No.63 of 2012 for the offences punishable under Sections 341, 307 & 506(ii) IPC and in Crime No.17 of 2012 for the offences punishable under Sections 341,



324 & 506(ii) IPC and in Crime No.909 of 2012 for the offences punishable under Sections 294(b), 323 & 506(ii) IPC and in Crime No.208 of 2013 for the offences punishable under Sections 392, 397 & 506(ii) IPC and in Crime No.703 of 2012 for the offences punishable under Section 160 IPC and in Crime No.395 of 2012 for the offences punishable under Section 107 Cr.P.C. on the file of the B3, Theppakulam Police Station. He further submitted that the investigation is still pending.

5.The submissions made by the learned counsel on either side are considered. This case has been registered for the offences punishable under Sections 147, 148, 341, 302 IPC. According to the submissions made by the learned Government Advocate (Crl.side), the petitioner is having 8 previous cases. It shows that the petitioner is a habitual offender. If these type of accused are released on bail, he may try to tamper the witnesses and hamper the investigation.

6.Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner at this stage. Accordingly, this Criminal Original petition is dismissed.

sd/-
10/01/2018

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.16487 of 2017
Date :10/01/2018

MKV-PM-PN-SAR 4/23.1.2018/2P-3C