

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Twenty Sixth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.22725 of 2019

S.NASARUDEEN

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY ITS,  
THE INSPECTOR OF POLICE,  
E-4 ABIRAMAPURAM POLICE STATION,  
CHENNAI.  
CR.NO.425 OF 2018.

[ RESPONDENT ]

For Petitioner : M/S.T.GNANA BANU Advocate

For Respondent : MR.B.ARULMOZHIMARAN, Govt. Advocate ( CrI. Side)

For Intervener : MR.S.JOHN AROCKIADAS Advocate

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 alleged offence under Sections 447, 342, 294(b), 386 and 506(i) of IPC in Cr.No.425 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 entered into a lease agreement with the defacto complainant and A2 occupied the defacto complainant's premises. Thereafter, A2 entered into another lease agreement with A1 without the knowledge of the defacto complainant contrary to the original lease agreement. After expiry of the lease period, they neither vacated the premises nor paid any rent. According to the defacto complainant, A2 and A3 colluded together and demanded money from the defacto complainant to vacate the premises. The petitioner is arrayed as A3.

3.Heard the arguments advanced on either side and perused the materials available on record.

4.Perusal of records disclose that earlier the petitioner filed CrI.O.P.No.22778 of 2018 seeking anticipatory bail and this Court vide order dated 10.10.2018 dismissed the said petition. Thereafter, the petitioner filed CrI.O.P.No.27239 of 2018 and this Court vide order dated 26.11.2018 dismissed the said petition. This is the

third anticipatory bail petition filed by the petitioner before this Court.

5.Perusal of records further disclose that as against the dismissal order passed by this Court A2 filed Special Leave Petition in Special Leave to Appeal (Crl.) No.11087 of 2018 before the Hon'ble Apex Court and the Hon'ble Apex Court vide order dated 26.11.2018 dismissed the said petition.

6.Further, the petitioner did not establish any change in circumstances for grant of anticipatory bail.

7.Considering the facts and circumstances of the case and also the fact that there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. The criminal original petition is accordingly dismissed.

-sd/-

26/08/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,  
E-4 ABIRAMAPURAM POLICE STATION,  
CHENNAI.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.T.GNANA BANU Advocate on payment of necessary charges  
SR.NO.

+1 CC to M/S.I.JOHN AROCKIA DAS Advocate on payment of  
necessary charges SR.NO. 17829

CRL OP.22725/2019

Date :26/08/2019

RD 05/09/2019