



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

Tuesday, the Twenty Third day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.5142 of 2019

DINESH KUMAR

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.81 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.MURUGAN Advocate

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

For Intervenor : MR.M.S.JEYAKARTHIK, Advocate

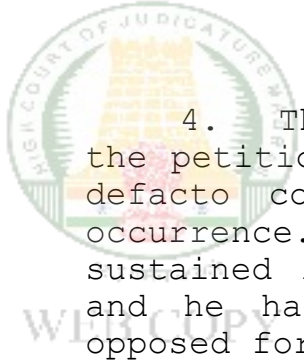
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehend arrest at the hands of the respondent for the alleged offence punishable under Sections 341,294(b), 324, 307 and 506(ii) of IPC @ 147,148 r/w.120 (b) of IPC in Crime No.81 of 2019, seek anticipatory bail.

2. The case of the prosecution is that the petitioner is the resident of Kuyanvankudi Village and running a travels office and his paternal uncle is the poosari. On 20.03.2019, there was a Panguni Uthiram festival celebrated in the village and due to the above festival, the accused persons joined together and attacked the defacto complainant, thereby the defacto complainant sustained injuries and admitted in the hospital. There he filed a complaint before the respondent police.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would also submit that the petitioner's name does not found place in the First Information Report. He would also submit that co-accused in this case was granted bail by this Court. Hence he prayed for anticipatory bail.



4. The learned counsel for the intervenor would submit that the petitioner is the main accused and he has brutally attacked the defacto complainant and narrowly he escaped from the scene of occurrence. He would also submit that the defacto complainant sustained injuries in his right hand and leg and taking treatment and he has spent more than Rs.3,00,000/- for treatment and he opposed for grant of anticipatory bail.

5. The learned Government Advocate (Crl.Side) would submit that already arrested accused persons were granted bail, however main accused is yet to be apprehended. Hence he opposed for grant of anticipatory bail.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that the main accused is yet to be apprehended, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence the anticipatory bail petition is dismissed.

sd/-
23/04/2019

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMNAD DISTRICT.

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

+1 CC to M/s.R.MURUGAN, Advocate SR-7036
+1 CC to M/s.M.S.JEYAKARTHIK, Advocate SR-7167

ORDER
IN
CRL OP(MD) No.5142 of 2019
Date :23/04/2019

JM/JC/SAR 2/02.05.2019/2P/5C