

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.11.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA
Crl.O.P.No. 18244 of 2020

Prakash @ Meganathan

... Petitioner/7th Accused

Vs.

The State represented by,
The Inspector of Police,
E-5 Koovathur Police Station,
Kancheepuram District.
[Crime No. 76 of 2020]

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No. 76 of 2020, on the file of the respondent police.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 506(ii) of IPC, in Crime No. 76 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant namely Murugesan is that while he along with his wife were catching fish in Palar River, the petitioners along with other accused abused and attacked them with deadly weapons and thereby, they sustained injury. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that this is the second application for anticipatory bail and that the petitioner is an innocent and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that this is the second application for anticipatory bail and that the petitioner is a habitual prohibition offender. He would submit that the petitioner along with other accused had abused the de-facto complainant and his wife and also assaulted them with deadly weapons. He would further submit that four (4) previous cases are pending against the petitioner and that there is no change of circumstances. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the petitioner being a prohibition offender and he had already been involved in many previous cases and also considering the fact that there is no change of circumstances in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
19/11/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
E-5 KOOVATHUR POLICE STATION,
KANCHIPURAM DISTRICT.

CC to M/S. R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.18244/2020

Date :19/11/2020

MK:01/12/2020