



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/01/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.151 of 2020

B. Anbu, ... Petitioner/Accused No.1

Vs

The State of Tamilnadu
Rep.by its Inspector of Police,
Tamil University Police Station,
Thanjavur District,
(Crime No.176/2019).

... Respondent/Complainant

For Petitioner : M/s. Ananth C. Rajesh,
Advocate.

For Respondent : Mr.K.K.Ramakrishnana,
Additional Public Prosecutor

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

PRAYER :-

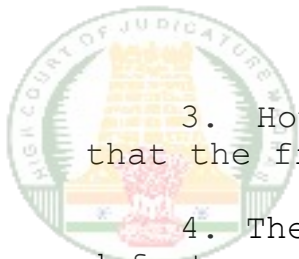
for Anticipatory Bail in Crime No.176 of 2019 on the file of
the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the respondent.

The petitioner is figuring as A1 in Crime No.176 of 2019, for
the offences under Sections 147, 294(b), 324 and 506(i) of I.P.C.

2. The petitioner's earlier moved this Court for anticipatory
bail by filing Crl.O.P.(MD)No.14641 of 2019. Taking note of the
serious allegations made against the petitioner even while granted
relief to other four petitioners, the petitioner was denied relief.
His second petition for anticipatory bail petition was also
dismissed by me on 27.11.2019. This is third application by the
petitioner. The petitioner's counsel states that the investigation
is fully over and the final report has also been filed.



3. However, the learned Additional Public Prosecutor states that the final report has not been filed sofar.

4. The petitioner is the official of a financing company. The defacto complainant had borrowed certain sum from the company. But there was default in repayment of dues. In order to recover the dues, the accused had gone to her business spot. A quarrel has arisen. In the resulting occurrence, the allegation is that the petitioner had poured boiling milk on the victim causing him serious burn injuries. Of course, the petitioner's counsel states that it was the victim who tried to pour the boiling milk on the petitioner and when the petitioner resisted, in view of his location, it happened to fall on him causing him injuries.

5. Be that as it may, I have necessarily go only by the allegations set out in the FIR. The fact is that final report has not been filed. Even assuming that the final report has been filed, it cannot constitute a change in circumstance. As held by the Hon'ble Supreme Court in one case filing of the final report only strengthens the case of the prosecution against the accused and therefore, the same cannot be cited as change in circumstance. In view of the serious allegations made against the petitioner, I am of the view that the petitioner is not entitled to any indulgence. The criminal original petition stands dismissed.

sd/-
07/01/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE,
TAMIL UNIVERSITY POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.ANANTH C.RAJESH, Advocate (SR-340[I] dated
07/01/2020)

ORDER
IN
CRL OP(MD) No.151 of 2020
Date :07/01/2020

IAS

AE/JC/SAR-I (22.01.2020) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>