

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.02.2021

CORAM

THE HON'BLE Mr.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.3654 of 2021

Appu Karthick

... Petitioner

Vs.

State Rep. By
The Sub-Inspector of Police,
Salavakkam Police Station,
Kancheepuram District.
(Crime.No.378/2019)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of his arrest in Connection with the Cr.No.378 of 2019 pending on the file of the respondent police.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mr.C.Iyyappa Raj
Additional Public Prosecutor

O R D E R

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 324, 364, 307 and 506(ii) of IPC, in Crime No.378 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant viz., Dillibabu is that while the defacto complainant was walking near the Nelvoyal Village, the accused who had come in an Innova car, kidnapped the defacto complainant by threatening him with deadly weapons and abused him in filthy language and taken him into Savuku Thoppu and attempted to assault him. Thereafter, the defacto complainant escaped from the scene of occurrence. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the respondent has foisted this case against the petitioner and that he has not committed any offence as alleged by the prosecution. He would submit that this is

the second application for anticipatory bail and the earlier application in CrI.O.P.No.15587 of 2020 was dismissed by this Court on 09.11.2020. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is a notorious person against whom there are 13 previous cases out of which two cases are for Section 302 IPC and three cases are for offence under Section 307 IPC. He would further submit that A1 to A4 and A7 were arrested earlier and they have been granted bail. A8 was arrested recently and he is still in custody and the petitioner who is arrayed as A6 and yet another accused A5 are absconding. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the petitioner is a notorious person against whom there are 13 previous cases, this Court had earlier dismissed the application on 09.11.2020 and there is no change in circumstances after the dismissal of the earlier application. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/02/2021

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 SUB-INSPECTOR OF POLICE,
SALAVAKKAM POLICE STATION,
KANCHEEPURAM.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.3654/2021

Date :24/02/2021

EP-15/03/2021