

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 08.03.2021  
CORAM  
THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA  
Crl.O.P.No.4206 of 2021

Udhayakumar @ Paramakudi Udhaya ... Petitioner

Vs.

State rep. by  
The Inspector of Police,  
Namakkal Police Station,  
Namakkal District.  
Crime No.1152 of 2020 ... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.1152 of 2020 pending on the file of the respondent police.

For Petitioners : Mr.G.Anbuchezeiyan

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

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 341 and 307 of IPC, in Crime No.1152 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 14.08.2020, the petitioner along with other accused persons planned to murder him and thereby brutally attacked the defacto complainant and his friend with deadly weapons in an indiscriminate manner all over the body and caused grievous injuries.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and due to previous enmity, he has been falsely implicated in this case. He would further submit that this is the third application for anticipatory bail and the earlier applications for anticipatory bail were dismissed by this Court in Crl.O.P.No.14426 of 2020 vide order dated 16.09.2020 and Crl.O.P.No.18755 of 2020 vide order dated 15.12.2020. However, the respondent have not arrested the petitioner. He would submit that the petitioner is prepared to appear before the respondent and co-operate with the investigation. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would vehemently oppose stating that the petitioner along with other accused had planned to murder one Kasirajan, A+ category notorious criminal and other persons, following which on 14.09.2020, the petitioner along with other accused attacked the defacto complainant with knife and thereby, the defacto complainant sustained grievous injuries. He would submit that on the earlier occasion, the petitioner along with other accused namely Balasubramani @ Inungur Balu had filed a petition for anticipatory bail in Crl.O.P.No.18755 of 2020 and this Court taking into consideration the antecedents of the petitioner, had dismissed the application in respect of the petitioner and had granted anticipatory bail to the said Balasubramani @ Inungur Balu since, he was not having any previous case. He would further submit that there are two previous cases against the petitioner out of which, one is for 302 IPC and after the dismissal of the earlier application, there is no change in circumstances.

5. This Court taking into consideration the antecedents of the petitioner, had dismissed the earlier application for anticipatory bail and there is no change in circumstances after the dismissal of the earlier application on 15.12.2020, this court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

08/03/2021

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 JUDICIAL MAGISTRATE NO.I,  
NAMAKKAL.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,  
NAMAKKAL POLICE STATION,  
NAMAKKAL DISTRICT,

CC to M/S.G.ANBUCHEZHAIYAN Advocate on payment of necessary  
charges

CRL OP.4206/2021

Date :08/03/2021

MK:15/04/2021



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