



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Sixteenth day of March Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA
CRIMINAL ORIGINAL PETITION No.5066 of 2021

Y.JOHN DAVID PAUL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
T-11, THIRUNINRAVUR POLICE STATION,
CHENNAI

[RESPONDENT]

For Petitioner : M/S.E.SOUNDAR RAJAN Advocate

For Respondent : M/S.T.SHUNMUGARAJESWARAN Government Advocate
(Crl.Side)

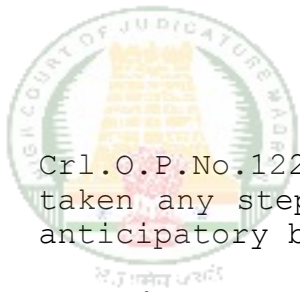
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 307 & 506(2) IPC, in Crime No.640 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant viz. Pushparaj is that he is a painter and his wife is engaged in selling fruits in a pushcart. While so, one Sakthivel had borrowed a sum of Rs.2 Lakhs from the defacto complainant and he had repaid the amount of Rs.1,19,000/- and he died without repaying the balance amount of Rs.81,000/-. Therefore, the defacto complainant had demanded the same from the wife of the deceased Sakthivel. Due to which, the wife of the deceased along with other accused called the defacto complainant over phone and threatened him not to demand the balance amount and thereafter, on the date of occurrence, the accused had called the defacto complainant and asked him to come and collect the money due to him. When the defacto complainant had gone to the place to collect money, the accused had assaulted him with knife and caused injuries. Hence the complaint.

3.Learned counsel appearing for the petitioner would submit that the earlier anticipatory bail application filed by the petitioner was dismissed by this Court vide order dated 01.02.2021 in



Crl.O.P.No.1225 of 2021 and thereafter the respondent police have not taken any steps to arrest the petitioner, thereby, he would seek for anticipatory bail.

4.Learned Government Advocate (Crl. Side) would submit that this is the 4th anticipatory bail application and this Court taking into consideration that the petitioner has got four previous cases and that the petitioner is a history sheeter, had dismissed his earlier applications for anticipatory bail and there is no change of circumstances. Hence, he vehemently oppose for the grant of anticipatory bail to the petitioner.

5.This Court taking into consideration the nature of offence committed by the petitioner, the antecedents of the petitioner had dismissed his earlier applications on the ground that the petitioner has got four previous cases and that the petitioner is a history sheeter. There is no change of circumstances now, hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-

16/03/2021

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
T-11, THIRUNINRAVUR POLICE STATION,
CHENNAI

CC to M/S.E.SOUNDAR RAJAN Advocate on payment of necessary charges

CRL OP.5066/2021

Date :16/03/2021

rvr 09/04/2021