



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2021

CORAM

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

Crl. O.P. No. 11591 of 2021

A.Dinesh Babu

... Petitioner

-vs-

State Rep. by
The Inspector of Police,
Cheyyar Police Station,
Thiruvananthapuram.
(Crime No. 686 of 2019)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, 1973, praying to enlarge the Petitioner on bail in the event of arrest in Crime No. 686 of 2019 on the file of the Respondent Police Station.

For Petitioner : Mr. E.Sathiyaraj

For Respondent : Mr. V.J.Priyadharsana,
Counsel appearing for the Government.

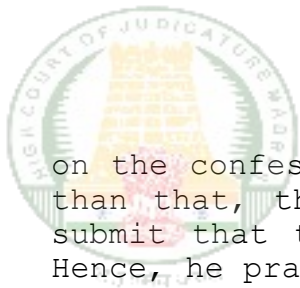
O R D E R

(The case has been heard through video conference)

The Petitioner, who apprehends arrest at the hands of the Respondent Police for the offences punishable under Sections 147, 148 and 302 of the Indian Penal Code, 1860, and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No. 686 of 2019 on the file of the Respondent Police, seeks anticipatory bail.

2. The case of the prosecution as per the De-facto Complainant is that due to previous enmity, the Petitioner along with the other accused attacked the deceased, due to which, he died. Hence, the case was registered against the Petitioner.

3. The Learned Counsel for the Petitioner would submit that this is the fourth application for anticipatory bail and the earlier applications in Crl. O.P. No. 8730 of 2020 was dismissed on 24.06.2020, Crl. O.P. No. 16009 of 2020 was dismissed on 28.10.2020 and Crl. O.P. No. 6266 of 2021 was dismissed on 22.04.2021. He would further submit that the Petitioner is the junior Advocate of the main accused one Mr. Sivakumar and that is reason why he was roped into this case. He would further submit that the Petitioner has been implicated in this case only based



on the confession recorded from the arrested co-accused and other than that, there is no allegation against him. He would further submit that the arrested co-accused have been enlarged on bail. Hence, he prays for grant of anticipatory bail.

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4. The Learned Counsel appearing for the Government would submit that this is the fourth application for anticipatory bail. He would further submit that the allegation against the Petitioner is that he along with the other accused conspired to commit murder. He would further submit that the Petitioner and the other accused have gone to the scene of occurrence and they have executed the scheme. He would further submit that the arrested co-accused one Sivakumar has confessed about the conspiracy and also the subsequent incidents. He would further submit that the name of the Petitioner has also been specifically mentioned in the F.I.R. He would further submit that there is no change of circumstances after the dismissal of the earlier applications. He would further submit that the custodial interrogation of the Petitioner is very much essential in this case. Hence, he would oppose for grant of anticipatory bail to the Petitioner.

5. Heard the Learned Counsels and perused the earlier dismissal orders dated 24.06.2020, 28.10.2020 and 22.04.2021.

6. This Court taking into consideration that it is a case of conspiracy and preplanned murder and finding that the custodial interrogation of the Petitioner is very much essential had dismissed the earlier applications for anticipatory bail.

7. Taking into consideration the facts and circumstances and that the name of the Petitioner has been specifically mentioned in the F.I.R. and that there is no change of circumstances after the dismissal of the earlier applications, this Court is not inclined to grant anticipatory bail to the Petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
08/07/2021

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,
CHEYYAR,
THIRUVANNAMALAI DISTRICT.

2 THE INSPECTOR OF POLICE,
CHEYYAR POLICE STATION,
THIRUVANNAMALAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. E.SATHIYARAJ Advocate on payment of necessary
charges SR NO.7204

CRL OP.11591/2021

Date :08/07/2021

MK:15/07/2021