



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.07.2021

CORAM :

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

Crl.O.P.No.12402 of 2021

Kandasami

...Petitioner

Vs.

State Represented by  
The Inspector of Police,  
Karipatty Police Station,  
Salem District.  
(Crime No.497 of 2020)

... Respondent

PRAYER: Criminal Original Petitions are filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.497 of 2020 on the file of the Inspector of Police, Karipatty Police Station, Salem District.

For Petitioner : Mr.D.Arun

For Respondent : Mr.V.J.Priiyadarsana  
Government Advocate (Crl. Side)

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 294 (b), 384 and 506(ii) of IPC in Crime No.497 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.10.2020 at about 6.00 PM., when the defacto complainant was standing in front of his house, the petitioner abused him and demanded money and threatened him with knife. Hence, the complainant.

3. The learned Counsel for the petitioner submitted that this is the 3<sup>rd</sup> application for anticipatory bail. The 1<sup>st</sup> application was dismissed by this Court in Crl.O.P.No.19943 of 2020 by order dated 22.12.2020 and the 2<sup>nd</sup> application was dismissed as withdrawn in Crl.O.P.No.9028 of 2021 by order dated 23.06.2021. He would submit that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would submit that the petitioner is a habitual offender and there are five previous cases pending against him. He would further submit that this Court



taking into consideration of the fact that the petitioner is a habitual offender, had dismissed the earlier applications and there is no change of circumstances after the dismissal of the earlier applications. He would further submit that the respondent police are taking steps to arrest the petitioner and the Mobile phone signal shows that the petitioner is roaming around various states. Hence, he would vehemently oppose for grant of anticipatory bail to the petitioner.

5. Taking into account of the fact that the petitioner is a habitual offender, having five previous cases to his credit and there is no change in circumstances after the dismissal of the earlier applications and that the respondent police are taking steps to apprehend the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-sd/-  
19/07/2021

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 INSPECTOR OF POLICE,  
KARIPATTY POLICE STATION,  
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.D.ARUN Advocate on payment of necessary charges

CRL OP.12402/2021

Date :19/07/2021

RW 26/07/2021