



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15224 of 2021

JOHN MELKIYUR

[PETITIONER / ACCUSED]

Vs

THE SUB-INSPECTOR OF POLICE,
ELAVANASOORKOTTAI POLICE STATION,
KALLAKURICHI DISTRICT.
CRIME NO.225 of 2021.

[RESPONDENT]

For Petitioner : M/S.S.SARAVANA KUMAR Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 147, 148, 294(b), 324, 427, 448 and 506 (ii) of IPC r/w 3 of TN Public Property (PRVNT of Damage and Loss) Act, 1992 in Crime No.225 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that a marriage banner was installed by one Alexander in the marriage function of one Arokiyaraj. At that time, the defacto complainant's brother has damaged the said banner. In this connection, there was a dispute between his brother and the above said Alexander and his friends. It is further alleged that Alexander and his friends went to the defacto complainant's brother's house and attacked him and also criminally intimidated him. Based on the complainant made by the defacto complainant, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any such offence as alleged by the prosecution. He further submits that based on the confession statement



of the co-accused, the petitioner's name has been implicated and his name was not found in the FIR. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the petitioner's earlier bail application before this court in Crl.OP.No.11627 of 2021 dated 06.07.2021 was dismissed as withdrawn. He further submits that the petitioner is a habitual offender and there are 8 previous cases pending against the petitioner and all are similar in nature.

5. Considering the submissions on either side and also considering bad antecedents of the petitioner and more particularly, the fact that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
25/08/2021

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,
ELAVANASOORKOTTAI POLICE STATION,
KALLAKURICHI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.SARAVANA KUMAR Advocate on payment of necessary charges

CRL OP.15224/2021

Date :25/08/2021

JPA 24/09/2021