



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19771 of 2021

SUKUNDHAN

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
POOMBUHAR POLICE STATION,
POOMBUHAR,
NAGAPATTINAM DISTRICT.
CR.NO.68/2021.

For Petitioner : M/S.M.K.SUBRAMANIAN Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence punishable under Section 376, 417 of IPC in Crime No.68 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to clash between two groups, there was a wordy quarrel arose between the petitioner's group and the deceased group. Due to which, the petitioners attacked the deceased and the deceased sustained injuries and subsequently he died. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. There was a clash between two groups, due to which, both the groups attacked each other and sustained injuries and one of them sustained fatal injuries and died. The petitioners group have lodged a complaint against the deceased group and there was a case in counter in Crime No.69 of 2021. He further submits the co-accused were enlarged on bail by this Court in Crl.OP.No.10286 of 2021 dated 11.06.2021. Hence,



he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that this is the petitioner's second anticipatory bail petition and his earlier anticipatory bail was dismissed by this Court in Crl.OP.No.10505 of 2021 dated 16.06.2021 on the ground that there are previous cases pending against the petitioner and also the bad antecedents against the petitioner.

5. Considering the facts and circumstances of case and also considering the submission made by both counsel and there was no change of circumstances after the dismissal of the petitioner's earlier anticipatory bail petition, this court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

28/10/2021

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,
POOMBUHAR POLICE STATION,
POOMBUHAR,
NAGAPATTINAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.K.SUBRAMANIAN Advocate on payment of necessary charges

CRL OP.19771/2021

Date :28/10/2021

APN 16/11/2021