

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

CrI.O.P.No.21050 of 2020

1.Yuvaraja
2.Davamani
3.Balamurugan

... Petitioners

Vs.

The State rep. by
The Inspector of Police
Namagiripet Police Station,
Namakkal District.
Crime No.758 of 2020.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioners on bail in the event of their arrest pending investigation in Crime No.758 of 2020, on the file of the Respondent police.

For Petitioners : Mr.W.Camyles Gandhi

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 341, 294 (b), 323, 324, & 506(i) IPC in Crime No.758 of 2020, seeks anticipatory bail.

2. It is stated that this is the third petition seeking for anticipatory bail. Earlier, the petitioners had approached the Sessions Court seeking anticipatory bail in C.M.P No.828 of 2020 and the Principal District Judge, Namakkal, granted anticipatory bail to the petitioner on 19.08.2020 with condition that the petitioner shall deposit a sum of Rs.10,000/- each as cash surety before the concerned Magistrate. Suppressing the above fact, once again the petitioners have filed another anticipatory bail petition before this Court in CrI.O.P No.16868 of 2020 and this Court had granted anticipatory bail to the petitioners on 22.10.2020 with condition to surrender before the Judicial Magistrate No.I, Rasipuram to execute

a bond for Rs.25,000/- with two sureties. Now, this is the third anticipatory bail petition filed by the petitioners on the ground that they have not able to execute the sureties within the time prescribed by this Court.

3.Heard the learned Additional Public Prosecutor appearing for the respondent.

4.The present petition is nothing but a clear abuse of process of Court. The petitioners having obtained an order of anticipatory bail from the Sessions Court and suppressing the above fact another petition was filed before this Court and also obtained an order in Crl.O.P No.16868 of 2020. Now, the petitioners have come forward with this third petition for anticipatory bail for the very same offence on the ground that they have not able to execute the sureties.

5. Considering the fact that the present petition is not at all maintainable and it is liable to be dismissed with costs.

6. Accordingly, this Criminal Original Petition stands dismissed with the cost of Rs.25,000/- (Rupees twenty five thousand only) payable to '**The Tamil Nadu Advocate Clerk Association, Indian Bank High Court Branch**', A/C.No.484026006, IFSC Code. No. IDIB000M157.

-sd/-

22/01/2021

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 PRINCIPAL DISTRICT
JUDGE, NAMAKKAL.

2 THE JUDICIAL MAGISTRATE,
NO.I, RASIPURAM.

3 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
NAMAGIRIPET POLICE STATION,
NAMAKKAL DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

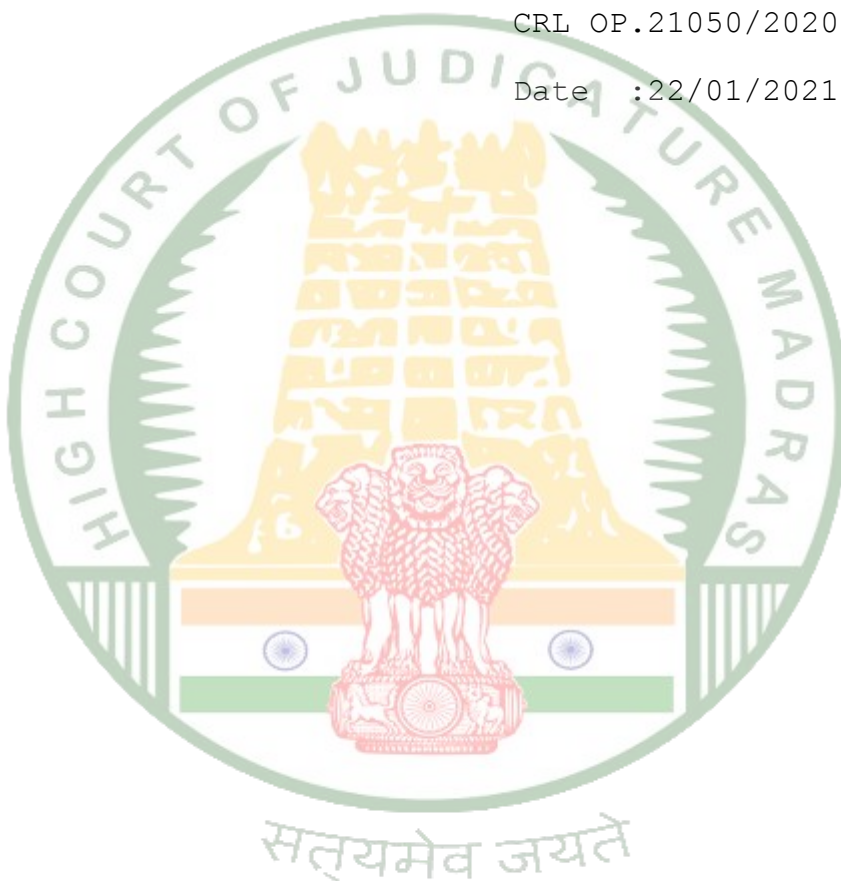
6 THE TAMIL NADU ADVOCATE CLERK ASSOCIATION,
INDIAN BANK HIGH COURT BRANCH,
A/C.NO.484026006, IFSC CODE. NO. IDIB000M157.

CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary
charges

CRL OP.21050/2020

Date :22/01/2021

TA-08/02/2021



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