



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Second day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.23102 of 2021

K.STALIN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY ITS
THE STATION HOUSE OFFICER,
MUTHIALPET POLICE STATION,
PUDUCHERRY.
CR.NO.131/2021.

[RESPONDENT]

For Petitioner : M/S.PRAKASH ADIAPADAM Advocate

For Respondent : Mr.V.Balamurugan Public Prosecutor for Pondicherry

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 307 r/w. 149 of I.P.C. and Section 4 of Explosive Substances Act, 1908 in Crime No.131 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.06.2021, when the defacto complainant was standing in front of the Saibaba Kalyana Mandapam, Puducherry along with his friends, the petitioner along with other accused persons came there in a motor cycle and one of the accused had thrown a country bomb towards the defacto complainant and the same was blasted near the defacto complainant. Due to which, the defacto complainant sustained grievous injury and then admitted in the hospital. Hence, the respondent police registered a complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. It is only A1 and other accused having possession of country bomb. Hence, the learned counsel prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that the learned Government Advocate further submitted that the petitioner is the informer and he passed a message about the availability of the defacto complainant, thereby the other accused joined together and attacked the defacto complainant. The co-accused A2 was already arrested and the anticipatory bail petitions filed by the petitioner were dismissed by the Trial Court. The learned counsel further submitted that this is the second bail application of the petitioner and there is one previous case pending as against the petitioner. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner.

5. Considering the fact that one previous case is pending against the petitioner and also considering the gravity of offence committed by the petitioner and 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/-

02/12/2021

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 STATION HOUSE OFFICER,
MUTHIALPET POLICE STATION,
PUDUCHERRY.

2 THE PUBLIC PROSECUTOR
PUDUCHERRY

CC to M/S.PRAKASH ADIAPADAM Advocate on payment of necessary charges

CRL OP.23102/2021

Date :02/12/2021

RVR 13/12/2021