



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.22634 of 2021

ELAMARAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
TIRUVANNAMALAI POLICE STATION,
TIRUVANNAMALAI DISTRICT
(CRIME NO.645 OF 2021)

[RESPONDENT]

For Petitioner : M/S.S.MICHAEL Advocate

For Respondent : MR.S.BALAJI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 324, 307 and 506(ii) of IPC in Crime No.645 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the petitioner and the de-facto complainant, the petitioner along with other accused person assaulted the de-facto complainant by using cricket stump and in the said attack the de-facto complainant sustained grievous injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the injured person has been discharged from the hospital and there is no specific overtact against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate submitted that this is the second anticipatory bail application filed by the petitioner and this Court has already dismissed the earlier anticipatory bail application of the petitioner on the ground that the petitioner has two previous cases pending against him under Section 302 of IPC. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case, since the earlier anticipatory bail petition was dismissed by this Court on the ground that there are two previous cases pending against the petitioner under Section 302 of IPC and since 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/-
01/12/2021

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 INSPECTOR OF POLICE,
TIRUVANNAMALAI POLICE STATION,
TIRUVANNAMALAI DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.22634/2021

Date :01/12/2021

JPA 14/12/2021