



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29/06/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.8458 of 2021

1. J.Maruthu Rajan
2. J.Natchimuthu ... Petitioners/Accused Nos.5 & 8

Vs

State Rep. by
The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
Crime No.51 of 2021. ... Respondent/Complainant

For Petitioner : Mr.Musthafakhan.M,
Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.51 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

This is the petitioners' second anticipatory bail application. The petitioners/A5 and A8, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 307, 324 and 506(2) of IPC in Crime No.51 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 03.04.2021, at about 05.45 a.m., the petitioners along with other accused said to have attacked the de-facto complainant with deadly weapons, like sword, knife, iron rod and wooden log. A specific allegation against the first petitioner is that he used iron rod to hit the de-facto complainant. The second petitioner used wooden log to hit the de-facto complainant. Therefore, the case came to be registered.



3.The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. He further submitted that the petitioners' earlier anticipatory bail application was dismissed on the ground that the petitioners are having previous cases pending against them. He further submitted that now in one of the previous cases, both the petitioners were acquitted. Therefore, he seeks anticipatory bail.

4.The learned Government Advocate (Criminal side) for the respondent strongly opposed this petition on the ground that the petitioners are involved in previous cases and that the investigation in this case is not completed.

5.As already stated that the earlier anticipatory bail petition was dismissed on 19.04.2021, the first petitioner is having three previous cases in Crime Nos.51 of 2021, 128 of 2017 and 19 of 2013, out of which, one previous case in Crime No.19 of 2013 was disposed of and the second petitioner is having two previous cases in Crime Nos.19 of 2013 and 35 of 2021, out of which, one case in Crime No.19 of 2013 was ended in acquittal. Now, both the petitioners are having one previous case pending against them.

6.Considering the fact that the petitioners had previous antecedents involving the offences against the human body and again indulged in similar offence, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-
29/06/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE,
AMATHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER
IN
CRL OP (MD) No.8458 of 2021
Date :29/06/2021

SJI
JM/MNR/SAR IV/06.07.2021/3P/3C