



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

Date : 06/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.8856 of 2021

Karthick @ Seeman Karthick

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(Crime.No.647 of 2021)

... Respondent/Complainant

For Petitioner : Mr.M.Prabu,
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.647 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 324 & 506(ii) IPC in Crime No.647 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 27.06.2021 at about 08.30 am., when the defacto complainant and his brother had gone for getting water from Ganga Water Company, they found one Karthick @ Seeman Karthick and one Kombaiya and some unidentified persons. They have waylaid the defacto complainant and his brother near Sankarapandi Thottam and due to previous enmity, accused Karthick @ Seeman Karthick picked up fight with them and he attacked the defacto complainant with his aruval. As a result, the defacto complainant suffered injuries on his left shoulder. When the persons, who were standing near the accused Karthick @ Seeman Karthick questioned him why he was attacking the defacto complainant, he criminally intimidated that he would kill the defacto complainant. Hence, the complaint.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that this case was registered only on 27.06.2021 and the investigation is in preliminary stage. He further submitted that the petitioner is a rowdy element and he has seven previous cases. The details of the previous cases are as follows:

- 1.Cr.No.331 of 2017 under Section 109 Cr.P.C.,
- 2.Cr.No.24 of 2017 under Sections 341, 294(b), 387, 506(ii)IPC
- 3.Cr.No.778 of 2013 under Section 110 Cr.P.C.,
- 4.Cr.No.287 of 2012 under Section 110 Cr.P.C.,
- 5.Cr.No.464 of 2014 under Section 110 Cr.P.C.,
- 6.Cr.No.267 of 2013 under Sections 147, 148, 302 IPC
- 7.Cr.No.297 of 2015 under Section 110 Cr.P.C., and hence, he prayed for dismissal of this petition.

5.Considering the nature of the offence and the fact that the petitioner said to have attacked the defacto complainant with aruval and the fact that FIR was registered only on 27.06.2021 and the investigation is in preliminary stage and also the fact that the petitioner has seven previous cases, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
06/07/2021

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/ /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,
KOVILPATTI WEST POLICE STATION, THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.8856 of 2021
Date :06/07/2021

gns

<https://hds.cslm.gov.in/CaseDetails.aspx?CaseNo=07.2021/2P.3C>