



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

Date : 07/09/2021

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.12004 of 2021

SEKAR

... PETITIONER/ACCUSED NO.2

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
DEVIPATTINAM POLICE STATION,
RAMANTHAPURAM DISTRICT.
CRIME NO. 211/2021.

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.T.Veerakumar, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.211 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 147, 148, 324 & 506(ii) IPC in Crime No.211 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that when the petitioner/A2 was selling ganja to the youngsters, the same was questioned by the defacto complainant, due to which, the petitioner attacked the defacto complainant. Hence, the present complaint.

3. The learned counsel for the petitioner submitted that this is the second anticipatory bail petition and the earlier anticipatory bail petition filed by the petitioner was dismissed by this Court, vide order dated 01.07.2021, in Crl.O.P.(MD)No.8659 of 2021. He further submitted that the petitioner is the friend of other accused persons, therefore, the defacto complainant has falsely lodged the complaint against the petitioner. He further submitted that A4 and A5, who were arrested, were released on bail by the learned District and Sessions Judge, Ramanathapuram. Hence, he prayed for grant of anticipatory bail.



4. The learned Government Advocate (Crl. Side) opposed for grant of anticipatory bail on the ground that the petitioner is having three previous cases. The details of which are as under:

- (i) Devipattinam Police Station - Cr.No.158/18, u/s. 147, 294(b), 323 IPC;
(ii) Devipattinam Police Station - Cr.No.63/18, u/s. 147, 148, 294(b), 323, 326, 379, 427, 506(ii) IPC;
(iii) Devipattinam Police Station - Cr.No.47/20, u/s. 147, 294(b), 323, 336 and 506(ii) IPC.

5. Considering the nature of offence and the antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, the Criminal Original Petition is dismissed.

sd/-
07/09/2021

/ 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,
DEVIPATTINAM POLICE STATION,
RAMANTHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12004 of 2021
Date :07/09/2021

USK/JC/SAR-II/(28.09.2021) 2P-3C

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