



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.09.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.13212 of 2021

1.Joshy Sebastian

2.Jomon Mathew

... Petitioners/Accused 1 and 2

Vs

State Rep by
The Inspector of Police,
Gudalur South Police Station,
Theni District.
(Crime No.245/2021)

... Respondent/Complainant

For Petitioners : Mr.K.Kannan,Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.245 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :

The petitioners, apprehending arrest at the hands of the respondent police for the offence under Sections 147, 148, 286, 324, 332, 353, 506(ii) IPC and 25(1)(A) of the Arms Act, r/w Section 21 (d) of Tamil Nadu Forest Act, in Crime No.245 of 2021, seek anticipatory bail.

2. The prosecution case is that on 30.06.2021, when the defacto complainant and other forest officials were in rounds duty at Chellarcovil Mettu Beat, Egalathu Beat junction, around 11.30 pm, they found movement of some persons and rounded them. At that time, one accused shot the officials with country made gun and another accused attacked them with aruval and thereafter, fled away from the place carrying plastic gunny bags. Hence, the complaint.



3. It appears that this is the second application for anticipatory bail and the earlier application in Crl.OP(MD)No.9445 of 2021 was dismissed by this Court on 27.07.2021. The petitioners, who are from the neighboring Kerala State, said to have been found in the forest area with country made gun. They also shot the officials using that gun. The allegation levelled against the petitioners appears to be serious in nature and the petitioners did not point out any change in circumstances to consider this second application.

4. In such view of the matter, this Court is not inclined to entertain this application and the same is accordingly, dismissed.

sd/-
09/09/2021

/ TRUE COPY /

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

gk

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,
GUDALUR SOUTH POLICE STATION,
THENI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.13212 of 2021
Date :09/09/2021

PKP/JM/SAR-3/15.09.2021/2P/3C