



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8526 & 8528 of 2022

ALEXANDER

[PETITIONER / ACCUSED
IN CRL.O.P.No.8526/2022]

JOHN MANOJ

[PETITIONER / ACCUSED
IN CRL.O.P.No.8528/2022]

Vs

THE STATE REPRESENTED BY [RESPONDENT IN BOTH THE PETITIONS]
THE INSPECTOR OF POLICE,
ELAVANASOORKOTTAI POLICE STATION,
KALLAKURICHI DISTRICT.
(CRIME NO.45 OF 2022)

For Petitioner : M/S.S.MAGESH KUMAR, Advocate [CRL.O.P.No.8526/2022]

For Petitioner : M/S.E.RAMMURTHY, Advocate [CRL.O.P.No.8528/2022]

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)
[IN BOTH THE PETITIONS]

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

ORDER : The Court Made the following order :-

The petitioners/A2 & A4, who apprehending arrest for the alleged offence under Section 294(b), 341, 324, 506(ii) and 307 of I.P.C., in Crime No.45 of 2022, on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 17.02.2022, at about 10.15 p.m., the defacto complainant was proceeding to his house from his shop, four named accused came in Mahindra Scorpio Car bearing registration No.PY-01-CC-0444 and restrained the defacto complainant from proceeding. They got down from the Scorpio Car and started attacking the defacto complainant. Specifically, one of the accused



by name Alexander (A2) with patta kaththi hit the defacto complainant on his head. When he tried to defend it, with his left hand, he sustained cut injury both on his head and left hand. Thereafter, the other accused by name Arulanandakumar hit him with iron rod on the head, Justin hit him with stone on the head. Thereafter, they left the scene of occurrence on seeing the villagers gathering, after throwing life threat to the defacto complainant.

3. The Learned Counsel for the petitioner would submit that, the injured, who is defacto complainant sustained simple injury and discharged from hospital and therefore, petitioners may be granted anticipatory bail, for the offence under Sections 294(b), 341, 324, 506(ii) and 307 of I.P.C.

4. However, the Learned Government Advocate (Crl.Side) for the respondent states that, Alexander (A2), who is petitioner in Crl.O.P.No.8526 of 2022, is a history sheeter having six previous case of grievous grave crime and he is absconding. He is the main accused in this accused who has brought the other accused to kill the defacto complainant. While, out of 14 accused, 9 were arrested. Alexander (A2) in Crl.O.P.No.8526 of 2022 and John Manoj petitioner in Crl.O.P.No.8528 of 2022 are still at large. There is a specific overt act has been attributed to both these petitioners and their presence outside is threat to the life of the defacto complainant.

5. Recording the same and taking note of the antecedents of the petitioners and nature of the offence, this Court is not inclined to entertain this anticipatory bail since there is an apprehension of threat to the witnesses. Hence, these Criminal Original Petitions are dismissed.

-sd/-
13/04/2022

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,
ELAVANASOORKOTTAI POLICE STATION,
KALLAKURICHI DISTRICT.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.8526 & 8528/2022

Date :13/04/2022

TA-22/04/2022