



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.25819 of 2021

DESAM

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
G-5, CHUNAMBEDU POLICE STATION,
CHENGALPET DISTRICT
CRIME NO. 313/2021

[RESPONDENT]

For Petitioner : M/S.R.LAKSHMIKANTH Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 302 @ 302, 109, 147, 148, 120(b) of IPC in Crime No.313 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the deceased is the husband of the defacto complainant. It is alleged that the deceased was a ganja peddler and a notorious rowdy. For which, the father of the petitioner used to send petition to the police about the illegal acts of the deceased. It is further alleged that the deceased had murdered the father of the petitioner and thereby the deceased was arrested and subsequently he was released on bail on 03.09.2021 and in retaliation, the petitioner along with other accused persons had attacked the deceased, due to which he sustained multiple injuries and thereby the deceased lost his life. 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. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that earlier applications were dismissed by this Court in Crl.O.P.No.21143 & 23815 of 2021 and there is no change of circumstances. He further submitted that the investigation is at initial stage. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner is involved in a very serious offence and earlier applications were dismissed by this Court and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

06/01/2022

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,
G-5, CHUNAMBEDU POLICE STATION,
CHENGALPET DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.LAKSHMIKANTH Advocate on payment of necessary charges

CRL OP.25819/2021

Date :06/01/2022

RW 20/01/2022