



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 31/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

WEB COPY

CRL OP(MD). No.855 of 2022

Sachin @ Sachithananthan,

... Petitioner/Accused No.2

Vs

The State Rep. by
The Inspector of Police,
Srirangam Police Station,
Srirangam,
Trichy City.
(Crime No. 1012 of 2021).

... Respondent/Complainant

For Petitioner : Mr.R.Yamuna, Advocate.

For Respondent : Mr.S.S, Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 1012 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 307, 506(ii) r/w 3 of Tamil Nadu Property (Prevention of Damages & Loss) Act, 1992, in Crime No.1012 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the *defacto* complainant is an Auto Driver. On 07.11.2021, at about 09.00PM, after dropping one Masilamani in his house, the *defacto* complainant found his auto key missing. So he enquired the same to the accused persons, who were standing near his auto. Due to that, the accused persons abused him in filthy language and brutally attacked him with deadly weapons and caused damages to his Auto. Hence, the complaint.

3.The learned counsel for the petitioner would submit that this is the second bail petition, that the petitioner is an innocent and not committed any such offence as alleged by the prosecution. He would further submit that the petitioner belongs to a very poor background and he is ready to abide any stringent conditions.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is having eight previous cases and on that ground the earlier anticipatory bail petition was dismissed.

5.This is the second anticipatory bail petition. The earlier petition in Crl.OP(MD)No.19956 of 2021 dated 17.12.2021 was dismissed by this Court, considering the bad antecedents of the petitioner that he got eight previous cases and major cases are involved for the offence under Section 302 IPC.

6.In respect of anticipatory bail petitions in assault matters, only the antecedents of the petitioner is the sole consideration, apart from other factors. The contentions raised by the learned counsel for the petitioner cannot be considered, due to his bad antecedents. I find no merits in allowing this petition. Hence, the petitioner is not entitled for discretionary relief of anticipatory bail.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-

31/01/2022

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

PNM

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,
SRIRANGAM POLICE STATION, SRIRANGAM,
TRICHY CITY
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.855 of 2022
Date :31/01/2022