



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1621 of 2022

Stebin

... Petitioner/3rd Accused

Vs

State reo,vt
The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.
(Crime No.436/2021).

... Respondent/Complainant

For Petitioner : M/s.Saravanan. M, Advocate.

For Respondent : M/s.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.436 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

2.The petitioner, who apprehends arrest at the hands of the respondent Police, for the offence punishable under sections 341, 294(b), 323, 324 and 506(ii) IPC in Crime No.436 of 2021, seeks anticipatory bail.

3.The case of the prosecution is that on 07.12.2021, the accused persons waylaid the defacto complainant, demanded him to provide liquor bottle and also assaulted him with blade. Hence, the
Complaint.



4. The learned counsel appearing for the petitioner submits that this is the second petition filed by the petitioner for anticipatory bail. The earlier petition was dismissed as against the petitioner, by the order of this Court on 03.01.2022, on the ground that the petitioner is having six previous cases as against him. He further submits that out of six cases, three cases were disposed of and only three cases are pending. Further, copy of First Information Reports of the pending three cases have been produced before this Court.

5. The learned Government Advocate (Crl. Side) strongly opposed to grant anticipatory bail to the petitioner, as he is still having three previous cases pending against him.

6. Perusal of the First Information Report shows that Crime No.209 of 2017 has been registered on 15.07.2017, for the offences punishable under Sections 294(b), 323, 324 and 506(ii) IPC. Crime No.144 of 2019 has been registered on 16.06.2019, for the offences punishable under Sections 279 & 337 IPC and Crime No.353 of 2020 has been registered against unknown persons, on 09.05.2020, for the offences punishable under Section 379 IPC.

7. Considering the antecedents of the petitioner and taking into consideration the fact that there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, the Criminal Original Petition is dismissed.

Sd/-
22/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

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.



1. THE INSPECTOR OF POLICE,
KULASEKARAM POLICE STATION,
KANYAKUMARI DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.SARAVANAN. M Advocate SR.No.1405

ORDER

IN

CRL OP (MD) No.1621 of 2022

Date :22/02/2022

SP/JM/SAR II/25/02/2022/3P/4C