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Crl.O.P.No.6420 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 27.02.2023, for the alleged offences punishable under Sections 147, 148, 341, 294(b), 323, 324 & 307 of IPC in Crime No.313 of 2022, seeks bail.

2. The case of the prosecution as per the de-facto complainant, Albert Edison, is that due to the previous enmity with regard to the money transaction, the accused waylaid the de-facto complainant and his relative, abused the de-facto complainant in a filthy language and assaulted him with stones, wooden logs and hands, due to which, he sustained grievous injuries in his head. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in



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this case. He further submitted that due to the previous enmity, with regard to money transaction, a false case has been foisted as against the petitioner and others. He also submitted that the petitioner is in custody from 27.02.2023 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner (A2) is a habitual offender, against whom, 10 previous cases are pending. He further submitted that the petitioner along with the other accused, due to the existing money dispute, abused and assaulted the de-facto complainant with stones and hands, due to which, he sustained grievous injuries. He also submitted that the injured has been discharged from the hospital, however, on considering the bad antecedents of the petitioner, he vehemently opposed for grant of bail to the petitioner. The previous cases against the petitioner are tabulated hereunder:-



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S.No	Crime No.	Sections
1.	66/2023	294(b), 353, 506(ii) IPC r/w 27(2) Arms Act & 7(1)(a) CLA Act
2.	313/2022	147, 148, 341, 294(b), 323, 324, 506(ii) IPC @ 147, 148, 341, 294(b), 323, 324, 307 of IPC
3.	110/2022	147, 148, 294(b), 307, 324, 341, 506(ii) IPC
4.	108/2022	147, 148, 294(b), 324, 341, 506(ii) IPC
5.	45/2022	294(b), 307, 324, 341, 506(ii) IPC
6.	129/2021	294(b), 323, 324, 506(ii) IPC
7.	1130/2021	147, 148, 294(b), 323, 324, 506(ii) IPC r/w 4 of HW Act r/w 3 of PPD Act
8.	225/2021	147, 148, 294(b), 323, 324, 427, 448 506(ii) IPC r/w 3 of PPD Act
9.	1164/2020	294(b), 323, 324, 506(ii) IPC
10.	342/2016	294(b), 323, 324, 506(ii) IPC

5. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and taking note of the fact that the petitioner is a habitual offender, having 10 previous cases, this Court is not inclined to grant bail to the petitioner.



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7. Accordingly, this Criminal Original Petition stands dismissed.

21.03.2023

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