



Crl.O.P.No.9805 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 353, 506(2) of IPC and 25(1B)(b) of Arms Act, in Crime No.55 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 29.01.2022, while the respondent police conducted vehicle check up, the petitioners along with co-accused had picked up quarrel with the respondent police and used filthy language against them and escaped from the scene of occurrence. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner was earlier granted anticipatory bail in Crl.OP.No.12498 of 2022 dated 26.05.2022. Since the petitioner was unable to furnish sureties, the earlier anticipatory bail application got lapsed and thereby the present



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application has been filed. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is a habitual offender against whom there are 11 cases are pending against him in various stations in Chengalpattu District. After obtaining the anticipatory bail, the petitioner did not appear before the concerned Court and furnish sureties and thereby proclamation proceeding against the petitioner in Crl.MP.No.3181 of 2023 dated 02.05.2023 in PRC.No.13/2015 had issued against the petitioner. In such circumstances, the petitioner can only challenge the order passed in Crl.MP.No.3181 of 2023 dated 02.05.2023 and the anticipatory bail cannot be granted and thereby he opposed for the grant of anticipatory bail.

5. Heard the learned counsel on both sides and perused the entire materials available on record including the First Information Report.



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6. This Court had granted anticipatory bail to the petitioner in Crl.OP.No.12498 of 2022 dated 26.05.2022 and the petitioner had not surrendered before the concerned Court and execute the sureties and later proceeding for proclamation has been initiated in Crl.MP.No.3181 of 2023 in PRC.No.31/2015 by the learned Judicial Magistrate No.II, Chengalpattu dated 02.05.2023 and if at all, the petitioner has to challenge the same.

7. Considering the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

06.06.2023

drl



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