

Crl.O.P.No.23152 of 2023**C.V.KARTHIKEYAN.,J.**

The petitioners/A5&A6, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 506(2) and 307 of I.P.C, in Crime No.155 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is working as Manager in Sheshapurishwar Temple. Due to previous enmity on 17.05.2017, while he was returning from the temple in a two wheeler to his village, the 1st accused and another unknown persons was standing near the Arch of Sirupuliyur, the 1st accused and another unknown persons shouted that Valli is going cut him, immediately the 1st accused attempted to cut in the neck of the de-facto complainant. He escaped with small cut injuries. Hence the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons. They have been falsely implicated in this case. Hence, he prays to grant to anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners are absconding and charge sheet has been filed as against A5 and the summons had been issued by the learned District Munsif cum Judicial Magistrate, Nannilam, Thiruvavur District. Hence, he opposed for grant of anticipatory bail to the petitioner.



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5.Heard the learned counsel for the petitioners and the learned Government Advocate (crl.side) for the respondent police and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side, once the matter is now seized before the jurisdiction Magistrate, the anticipatory bail will not lie. It is also seen as against the second petitioner/A6 absconding and charge sheet has been filed as against the first petitioner/A5 and summons had been issued by the District Munsif cum Judicial Magistrate, Nannilam, Thiruvarur District. The petitioners shall appear or surrender before the Court. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

7.Accordingly, this Criminal Original Petition is dismissed.

09.10.2023

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