



Crl.O.P.No.27501 of 2023

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WEB CO **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), 323, 324 & 506(ii) of IPC @ 294(b), 323, 324, 307 and 506(ii) of IPC, in Crime No.165 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Sakthivel, is that on 11.06.2023 around 11.00 p.m., when the defacto complainant after finishing the village festival called the first accused through phone and they both were chatting near BDO Office, at that time, the petitioner along with other accused abused the defacto complainant and also assaulted him with knife and thereby causing injuries to him. Hence the case.

3.The learned counsel for the petitioner submitted that this is the third anticipatory bail application filed by the petitioner and the earlier



Crl.O.P.No.27501 of 2023

applications in Crl.O.P.Nos.14378 & 16374 of 2023 were dismissed by this Court on 28.06.2023 and 26.07.2023 on the ground that the petitioner has got four previous cases. He further submitted that other co-accused has been enlarged on anticipatory bail and thereby, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the petitioner is an habitual offender and a history sheeted rowdy having H.S.No.2 of 2022, against whom, four previous cases are pending. He further submitted that as far as this case is concerned, the petitioner along with other accused have called the defacto complainant to a secluded place where they have brutally assaulted him with knife, due to which, the victim has suffered four grievous injuries. He further submitted that this Court, taking into consideration the petitioner is an habitual offender and a history sheeted rowdy, against whom, 4 previous cases are pending and the petitioner is a person who has inflicted injuries on the victim, had dismissed the earlier applications for anticipatory bail. He



CrI.O.P.No.27501 of 2023

also submitted that now there is no change in circumstances of the case.

Hence, he prayed for dismissal of the petition.

5. Heard the learned counsel on either side and perused the entire materials available on record including the First Information Report and Wound Certificate of the victim.

6. As per the First Information Report, there are specific overt act attributed to the petitioner for having assaulted the victim with knife along with A1/ Kotteshwaran. Further, the victim has suffered four injuries, out of which, three injuries are grievous in nature and the petitioner is a person, who has inflicted grievous injuries on the victim.

7. Taking into consideration the facts and circumstance of the case and the submissions made by the learned counsel on either side and there is no change of circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner.



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Crl.O.P.No.27501 of 2023

A.D.JAGADISH CHANDIRA, J.

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8. Accordingly, this Criminal Original Petition is dismissed.

08.12.2023

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Crl.O.P.No.27501 of 2023