



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRACRL.O.P(MD)No.2315 of 2023

WEB COPY

Kandasamy

... Petitioner/Accused 1

-VS-

The State represented by
The Inspector of Police,
Pappankudi Police Station,
Tirunelveli District.
(in Cr.No.16 of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No.16 of 2023.

For Petitioner
For Respondent

: Mr.V.ANGUSAMY, Advocate
: Mr.T.SENTHIL KUMAR
Additional Public Prosecutor

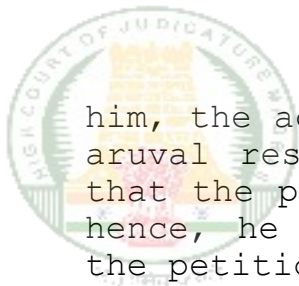
ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 307, 324, 387 and 506(ii) IPC in Crime No.16 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that on 28.01.2023 at about 04.00 pm., the petitioner and his friend one Esakki have asked the de-facto complainant to give money to drink alcohol. Since the de-facto complainant refused to give money to them, they attacked the de-facto complainant with aruval and caused minor injury. Hence, the complaint

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would also submit that the petitioner has not committed any offence, as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would pray for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner and other accused have demanded money from the de-facto complainant to drink alcohol and when the same was denied by



him, the accused persons have attacked the de-facto complainant, resulting in him sustaining injury. He would also submit that the petitioner has five previous cases pending against him and hence, he would strongly oppose for grant of anticipatory bail to the petitioner.

5. Taking into consideration the habituality of the petitioner in committing the crime and also the fact that the petitioner has five previous cases pending against him, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

06/02/2023

/ TRUE COPY /

/02/2023

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

CMR

TO

- 1 THE INSPECTOR OF POLICE,
PAPPANKUDI POLICE STATION,
TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.2315 of 2023

Date : 06/02/2023

SA/CG/SAR.3/14.02.2023/2P/3C