



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/04/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.7862 of 2023

N.Vinoth Kumar, ... Petitioner/sole Accused

Vs

THE STATE REP BY
The Inspector of Police,
Koombur Police Station,
Dindigul District.
(Crime No.30/2023).. ... Respondent/Complainant

For Petitioner : M/s. S.Sarvaganprabhu,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.30/2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 323, 427, 506(i) of IPC and section 4 of TNPHW Act in Crime No.30 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that petitioner herein borrowed a sum of Rs.2,70,000/- and jewels worth about 15 sovereigns from the defacto complainant but failed to return the same. When the defacto complainant demanded the same, the wife of the accused and others assaulted the defacto complainant, hence the case.

3. Heard both side and perused the materials available on record including the First Information Report.



4. The learned counsel for the petitioner would submit that this Court earlier dismissed the anticipatory bail petition on the ground that the petitioner is having five previous cases and on verification it is found that the petitioner not involved in any previous cases.

5. The learned Additional Public Prosecutor would submit that the petitioner involved in five previous cases and he has also produced the list of previous cases as against the petitioner, which reads as follows:

S.No	Police Station	Crime Number	offences
1	Koombur PS	53/2022	4(1)(a) TNP Act
2	Koombur PS	223/2021	4(1)(a) TNP Act
3	Koombur PS	220/2021	4(1)(a) TNP Act
4	PEW, Dindigul	1220/2022	4(1)(a) TNP Act
5	Vedasandur	283/2019	279,337 of IPC @ 279,304(A), 337,338 of IPC

6. It is seen that the petitioner has involved in five previous cases. Therefore this Court has already dismissed the anticipatory bail petition on earlier occasion and even then the petitioner has not surrendered before the Court, hence this Court is not inclined to grant anticipatory bail to the petitioner.

7. In view of the same, this criminal original petition stands dismissed with costs. **The Petitioner is directed to pay a sum of Rs.5,000/- (Rupees Five thousand only) as costs to the legal services authority attached to this Bench.**

sd/-
26/04/2023

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/05/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1.The Inspector of Police,
Koombur Police Station,
Dindigul District.



2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Officer Incharge
Legal Services Authority
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.S.SARVAGANPRABHU, Advocate (SR-6625[I] dated
26/04/2023)

ORDER

IN

CRL OP (MD) No.7862 of 2023

Date :26/04/2023

KB/AR/SIV(28.04.2023) 3P 5C