



Crl.O.P.No.28853 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner who was arrested and remanded to judicial custody on 12.10.2023 for the offences registered under Section 294(b), 353, 332, 307, 506(2) of IPC r/w Section 3(1) of TNPPDL Act, in Cr.No.571 of 2023 on the file of the respondent Police, seeks bail.

2.It is stated that the petitioner was earlier involved in Crime No.548 of 2014 under Section 392 IPC. A Nonailable Warrant had been issued against the petitioner herein on 13.02.2023. On 11.10.2023, to secure the petitioner and to execute the non-bailable warrant, the Police party had gone to the accused.

3.It is the case of the prosecution that the petitioner herein had snatched the pistol of the Sub Inspector and tried to attack. When the Police persons tried to catch him, the accused had assaulted them with stones and also had thrown a stone on the police vehicle and caused damage.

4.The learned counsel for the petitioner stated that there were 15 police personnel and it was therefore unimaginable that the petitioner would have taken the pistol of the Sub Inspector and it is also contended that the police had caused bullet injuries on the leg and hand of the petitioner herein.



Crl.O.P.No.28853 of 2023

The learned counsel stated that if this Court were to permit all these sort of act of the police, then it would only lead to an inference that the police can also shoot any innocent person. These are not arguments based on any legal principle. The fact is that the petitioner also has several cases as against him. It is a fact that the Non Bailable Warrant had been issued against him on 13.02.2023 and it is also a fact that when the police tried to execute a non bailable warrant, the offence as stated in the present FIR had happened.

5.The learned Government Advocate (crl.side) stated that the petitioner is a history sheeted rowdy in H.S.No.1 of 2010 and categorized as A+ category. The list of previous cases had also been given in the counter affidaivt. The investigation has not been completed.

6.Let the investigation be completed and charge sheet be filed which will give the petitioner a clearer picture about the nature of allegations as against him. At this stage, I am not inclined to grant bail to the petitioner.

7.Hence, this Criminal Original Petition stands dismissed.

22.01.2024

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Crl.O.P.No.28853 of 2023

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Crl.O.P.No.28853 of 2023

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