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Crl.O.P.No.31726 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31726 of 2024

Prithigaivasan @ Prithikaivasan

Petitioner(s)

Vs

State rep. by
The Inspector Of Police,
Perambalur Police Station,
Perambalur,
Perambalur Dt.
(Crime No. 715 of 2024)

Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of B.N.S.S. praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 715 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.Dhanasekar

For Respondent : Mr.S.Santhosh,
Govt. Advocate (Crl. Side)



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ORDER

Apprehending arrest in connection with Crime No.715 of 2024 registered for the offences punishable under Sections 296(b) and 109(1) of B.N.S.Act, 2023, the present petition has been filed seeking anticipatory bail.

2. The case of prosecution as per the defacto complainant Ms.Chandhira is that on 16.09.2024 while son of defacto complainant was consuming alcohol along with his friends, he was attacked by A1 with sickle at the instance of petitioner, thereby he sustained serious injuries and admitted in hospital for treatment. Hence, this case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that he is an innocent person and he has been falsely implicated in this case. He would submit that co-accused/A1 was granted anticipatory bail in CrI.O.P.No.25707 of 2024. He would submit that the petitioner is ready to



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abide by any stringent condition that may be imposed by this court.

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4. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that at the instigation of this petitioner, A1 attacked the victim. He would submit that co-accused/A1 was granted anticipatory bail and A3 was arrested and released on bail. He further submits that the following 12 previous cases are pending against the petitioner :-

- (1) Crime No 89 of 2024 under Sec.294(b) of I.P.C.
- (2) Crime No. 33 of 2016 under Sec.294(b) of I.P.C.
- (3) Crime No. 936 of 2017 under Sec.387, 506(2) of I.P.C.
- (4) Crime No. 05 of 2019 under Sec.294(b), 323, 324, 506(2) of I.P.C.
- (5) Crime No. 2095 of 2020 under Sec.294(b), 323, 324, 307 of I.P.C.
- (6) Crime No. 924 of 2022 under Sec.294(b), 323, 506(2) of I.P.C.
- (7) Crime No. 197 of 2016 under Sec.307 of I.P.C.
- (8) Crime No. 562 of 2022 under Sec.147, 148, 294(b), 326, 307, 302 of I.P.C. r/w 3(1)(r), 3(1)(s), 3(2) (v) SC / ST Act
- (9) Crime No. 263 of 2023 under Sec.20(b)(ii)(B), 25, 8(c) of NDPS Act
- (10) Crime No. 43 of 2024 under Sec.294(b), 307, 323, 324, 506(2) of I.P.C.
- (11) Crime No. 629 of 2023 under Sec.294(b), 307, 323 of I.P.C.



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(12) Crime No. 487 of 2022 under Sec.294(b), 307, 324 of I.P.C.

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5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also taking note of the fact that aforesaid 12 previous cases pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and Accordingly, this Criminal Original Petition is dismissed.

19.12.2024

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To

1. Judicial Magistrate No.1,
Perambalur.
2. Inspector Of Police,
Perambalur Police Station,
Perambalur,
Perambalur Dt.
3. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDRA, J.

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