



WEB COPY

Crl.O.P.No.31791 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31791 of 2024

BALAKRISHNAN

S/o. Thangaraj, No.32, Thambi Durai Street,
Attayampatti, Salem District.

Petitioner(s)

Vs

The State Rep.By, The Inspector Of Police
ATTAIYAMPATTI Police Station. Salem District,
(Crime No.268 of 2024)

Respondent(s)

For Petitioner(s): Camyles Gandhi W

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 118(1), 296(b) and 351(3) of BNS in Crime No.268 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that as per the defacto



complainant one Aravindan is that, on 28.10.2024, while the defacto complainant and his brother were travelling in their motor bike, at that time, the accused persons has also come in a two wheeler in the same way and abused the defacto complainant and his brother using filthy language, thereby there arose wordy quarrel. It is further stated that the petitioner joined hands together with the accused persons, abused and assaulted the defacto complainant and his brother using wooden logs, thereby the defacto complainant and his brother sustained injuries and admitted in the hospital. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and have not committed any offence as alleged by the prosecution. He also submitted that this is the second anticipatory bail application, the earlier application in Crl.O.P.No.29408 of 2024 was dismissed on 25.11.2024. He further submitted that the petitioner is also ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner, stating that the petitioner along with co-accused have abused and assaulted the defacto complainant and his brother using wooden logs. He further submitted that



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there are 9 previous cases as against the petitioner, out of which, four cases are disposed of.

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 taking note of the fact that the petitioner is an habitual offender and there is no change in circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this criminal original petition is dismissed.

20.12.2024

stn

A.D. JAGADISH CHANDIRA, J.

stn



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To

1. The State Rep.By, The Inspector Of Police
ATTAIYAMPATTI Police Station.
Salem District,
(Crime No.268 of 2024)

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