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Crl.OP.No.7732 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.7732 of 2025

Prabakaran ... Petitioner(s) /Accused

Vs.

State rep. by
The Inspector of Police,
Karuppur Police Station,
Salem District.
(Crime No.891 of 2024)

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest a case in Crime No.891 of 2024 on the file of the respondent.

For petitioner(s) : Mr.C.Deepak Kumar

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



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ORDER

This is the second anticipatory bail application filed by the petitioner before this Court.

2. Though the earlier anticipatory bail petition of the petitioner was dismissed by my learned predecessor, Hon'ble Justice A.D.Jagadish Chandira, this petition is listed before this Court pursuant to the orders passed by the Hon'ble Division Bench of this Court in Crl.O.P.No.31787 of 2024 on 04.03.2025.

3. The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023, in Crime No.891 of 2024, seeks anticipatory bail.

4. The case of the prosecution is that on account of prior enmity, the petitioner attacked the defacto complainant with knife, while the other accused assaulted him with their hands and abused him in filthy language.



WEB COPY 5. The first anticipatory bail application filed by the petitioner herein in CrI.OP.No.82 of 2025, dated 24.01.2025, was dismissed, insofar as the first petitioner/ petitioner herein is concerned, by my learned predecessor, Hon'ble Justice A.D.Jagadish Chandira, with the following observations:-

*“6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioners; this court is of the view that the first petitioner attacked the defacto complainant with a knife. Therefore, **this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed as against the first petitioner.**”*

6. The learned counsel for the petitioner would submit that the co-accused has been granted anticipatory bail and, considering the fact that the injured has been discharged from the hospital, the petitioner may also be granted anticipatory bail.



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7. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the first anticipatory bail application was dismissed on the ground that the petitioner had attacked the defacto complainant with a knife and that there are two previous cases against the petitioner.

8. This Court finds no change in circumstances and is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

17.03.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
skr



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- To
1. The Inspector of Police,
Karuppur Police Station,
Salem District.
 2. The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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