

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,
Vacation Sessions Judge, Theni,

Dated this the 21st day of May 2024

Crl.M.P.No.115/2024 in

Crl.M.P. No.51/2024

CNR.No.TNTH00-000139-2024

Kannan ... Petitioner/Accused

-Versus-

State through the Inspector of Police,

Bodi Town P. S. in

Cr.No.126/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru. S.Viswanath, Learned Counsel for the petitioner and the Learned Public Prosecutor for the State and this Court passed the following:

ORDER

This petition has been filed by the petitioner/accused U/s.438 of Code of Criminal Procedure seeking anticipatory bail.

2. The Nitty-Gritty of the prosecution case is as follows :-

On 21.04.2024 at 7.45 p.m., the petitioner and co accused drove Auto bearing registration No.TN 60 W 6581 and dashed against the complainant. Before that they abused and intimidated the complainant. Therefore the case registered against the petitioner U/s.294(b) and 307 of IPC.

3. Heard both sides.

4. The points for determination is that can the petitioner be released on anticipatory bail ?

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Answer :

5. The FIR and reply given by the Police are perused. The FIR prima facie shows that the petitioner and co accused drove the Auto bearing registration No.TN 60 W 6581 towards complainant and dashed against him. Consequently the complainant suffered severe injuries. It came to light from FIR that already Session Case No.107/2022 is pending against the complainant. So the facts altogether shows that both complainant party and accused persons frequently fight with each other and creating problem in the locality. In such circumstances if released on bail, the petitioner would again pose threat to the life of the complainant and also no change of circumstances made out after dismissing the earlier bail petition. Therefore the petitioner is not entitled for anticipatory bail.

In result, this anticipatory bail petition is dismissed.

Pronounced by me in open Court on this the 21st day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Bodinayakanur.