

Crl.O.P.No.7063 of 2015**R.SUBBIAH, J.**

Apprehending arrest at the hands of the respondent-police, in respect of the alleged commission of offences punishable under Sections 341, 392, 395 r/w 34 and 120(b) IPC, in Crime No.862 of 2014, the petitioner has approached this Court seeking the relief of anticipatory bail under Section 438 of the Code of Criminal Procedure.

2.The case of the prosecution is that one Tr.Sagubar Sadiq has lodged a complaint before the respondent-Police stating that he is doing a textile business and quite often, he used to go to Singapore, where he used to collect Speaker and Radio in order to sell them at Chennai. While so, on 21.11.2014 at about 9.30 pm, the defacto-complainant was travelling in an auto bearing Reg.No.TN 06 H 1793, which was driven by one Suresh, to go to Airport viz., St.Thomas Mount and at that time, four unknown persons came in an auto and waylaid the defacto-complainant and took away the articles viz., two cotton boxes containing tooth paste, brush, towels, from the defacto-complainant. Hence, the criminal case has been registered against the accused persons.

3.The learned counsel for the petitioner submitted that the petitioner is

an innocent persons and he is no way connected with the alleged offence. Thus, he sought for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner herein has been arrayed as 9th accused in this case. Further, on investigation, the respondent-Police arrested five accused persons viz., Accused 1 to 5. The investigation revealed that one Seemu & Mohammed Ashik approached the accused 1 to 11 and obtained the said stolen boxes and has given a sum of Rs.10 lakhs as commission and advised them to abscond. But, the respondent-Police arrested the said Seemu & Mohammed Ashika and seized the amount of Rs.10 lakhs under a mahazar. The accused 6 to 11 are still absconding. The learned Government Advocate (Crl.Side) further submitted that the investigation is at initial state and if the petitioner is granted anticipatory bail, it will hamper the investigation. Thus, he opposed the grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Consideration the facts and circumstance of the case and the fact

that the investigation is at initial stage, I am of the opinion that it is not a fit case to grant anticipatory bail at this stage. Hence, this petition is liable to be dismissed and accordingly, the same is dismissed.

13.04.2015

SSV

R.SUBBIAH, J.

SSV

Pre-delivery order

in

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13.04.2015