



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Fourteenth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17374 of 2015

A. RAGUPATHY

... PETITIONER/3rd ACCUSED

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
THALAIYUTHU POLICE STATION,
TIRUNELVELI DISTRICT.

(IN CRIME NO. 167/2005) ... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S T.MURUGAN ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA, GOVERNMENT ADVOCATE (CRL.SIDE)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 and 414 of I.P.C., in Crime No.167 of 2005 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the prosecution, that on 01.02.2005, the accused have committed theft of lorry bearing Registration No.TN-72-D-6005.

3. The learned counsel for the petitioner submitted that non-bailable warrant issued against the petitioner was recalled in the year 2012 and thereafter, the petitioner had gone to other place for his livelihood and subsequently, he also have become sick and due to the reason, he could not appear before the trial Court.

4. Per contra, the learned Government Advocate (Crl.side) submitted that the case is pending for the past 10 years and a non-bailable warrant issued against the petitioner on 25.02.2013 as second time for his absence and due to the pendency of the non-bailable warrant, there is no progress in the case.

5. Considering the conduct of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and hence, the



petition is dismissed. However, if the accused surrenders, the trial Court shall consider the application on merits and in accordance with law.

sd/-
14/09/2015

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE,
THALAIYUTHU POLICE STATION,
TIRUNELVELI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17374 of 2015
Date :14/09/2015

2P/3C
TE/NGM-SS/SAR-II 22/09/2015