

Crl.O.P.No.3603 of 2016**K.KALYANASUNDARAM, J.**

The petitioner apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 41(1)(d), 102 Cr.P.C. @ 457(2), 380(2), 411 (2) r/w 120(b) IPC, on the file of the respondent police, in crime No.3 of 2015 and hence, seeks anticipatory bail.

2. The case of the prosecution is that the accused, in the year 2015, involved in theft and smuggling of 8 idols of Hindu Deities of more than 800 years of antiquity in three temples in two districts.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He belongs to Brahmin Community and an orthodox believer of Hindu Gods and he never indulged in any illegal activities. The main accused were arrested and released on bail and therefore, he can be granted anticipatory bail.

4. The respondent filed a detailed objection to grant bail to the accused stating that the petitioner is involved in a theft of idols and he is involved in a similar offences in Crime No.9 of 2015 and Crime No.10 of 2015 on the file of the Vandavasi (North) Police Station and Crime No.7 of 2015 in Sunguvar Chathiram Police Station. It is further submitted that in the counter, the petitioner is the main accused and without whose direct involvement, the offence could not have been committed.

K.KALYANASUNDARAM, J.

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5. The learned Government Advocate (Crl. Side) would submit that the petitioner is a habitual offender and to unearth the truth, the custodial interrogation is very much necessary.

Considering the above facts and circumstances of the case and also considering the gravity of offences, this court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

22.02.2016

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Crl.O.P.No.3603 of 2016