



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

Thursday, the Fourth day of August Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12673 of 2016

AYYAPPAN,

... PETITIONER) / ACCUSED No.11

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI.
(CRIME.NO.207/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.PAUL MURUGESH Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. 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.11, apprehends arrest at the hands of the respondent police for the offence punishable under Sections 457, 449, 397 IPC altered into Sections 457, 449, 397, 307 and 120-B IPC, in Crime No.207 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 29.03.2016, the petitioner along with other accused persons trespassed into the house of the defacto complainant and attacked with aruval and committed theft of valuable articles. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. He has nothing to do with the alleged occurrence. Based on the confession of the co-accused, the petitioner's name is falsely implicated in this case.

4.The learned Government Advocate (Criminal side) submitted that the the petitioner along with the other accused persons trespassed the house of the defacto complainant and attacked him with aruval and committed theft of various gold jewels, silver articles, mobile phone, car and other valuable articles. He further submitted that only part of the properties have been recovered and other properties are yet to be recovered. Hence, he prays for dismissal of this bail petition.



5.Considering the facts and circumstances of the case and the fact that only part of the properties alone recovered, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly this petition is dismissed.

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sd/-
04/08/2016

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S S.PAUL MURUGESH Advocate SR.No.41503

ORDER
IN
CRL OP(MD) No.12673 of 2016
Date :04/08/2016

SMA/ARK-PV/SAR-I/12/08/2016 :2P/4C