



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

Thursday, the Twelfth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.12917 of 2017

1 RAVI

2 VISWANATHAN

... PETITIONERS/ ACCUSED NO.1 & 2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

SIVAGANGAI TOWN POLICE STATION,

SIVAGANGAI,

SIVAGANGAI DISTRICT.

(CRIME NO.594/2017)

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.N.SATHISH BABU, Advocate

For Respondent : M/S.T.MOHAN, ADDITIONAL PUBLIC PROSECUTOR

For Intervenor : M/S.M.S.JEYAKARTHIK, Advocate

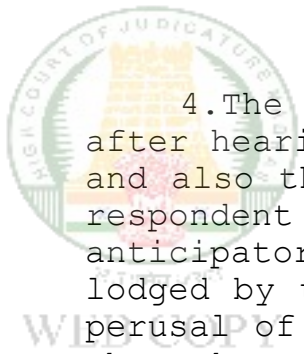
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 406 & 420 IPC in Crime No.594 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The learned counsel for the petitioners submitted that the petitioners has given a petition before the concerned Police under RTI Act demanding CCTV footage on 22.07.2017, 23.07.2017, 24.07.2017 and 25.07.2017. However, so far the respondent Police has not furnished the same.

3.The learned Additional Public Prosecutor appearing for the respondent Police would submit that earlier anticipatory bail petition in Crl.O.P.(MD)No.9967 of 2017 was dismissed on 12.09.2017 observing that custodial interrogation of the petitioner is necessary in this case and hence, the petitioner is still absconding. He further submitted that investigation is pending. He submitted that nothing is stated about the petition which was given under RTI Act.



4.The learned counsel for the intervenor would submit that after hearing the argument of the learned counsel for the petitioner and also the learned Additional Public Prosecutor appearing for the respondent Police in detail, this Court has dismissed the earlier anticipatory bail petition by considering the alleged complaint lodged by the petitioner before the respondent Police. However, on perusal of GD maintained by the respondent Police nothing was found that the complaint was received on 21.07.2017 in respect of missing of the car from the petitioner herein and the car has not been recovered so far.

5.Considering the facts and circumstances of the case and also taking note of the fact that there is no change in circumstances after dismissal of the earlier and the court has already decided that custodial interrogation of the petitioners is necessary in respect of the alleged vehicle belonging to the intervenor, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original petition is dismissed.

sd/-
12/10/2017

/ 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, SIVAGANGAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK, Advocate, SR.No.32875

ORDER
IN
CRL OP(MD) No.12917 of 2017
Date :12/10/2017

MS/PM-PN/SAR.2/01.11.2017/2P.4C