



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

Wednesday, the Fourth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.12948 of 2017

JOHN ALWIN PRABHU @ ALWIN PRABHU, ... PETITIONER/ ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION,
SUCHINDRAM,
(IN CRIME NO.470 OF 2017) ... RESPONDENT/COMPLAINANT

For Petitioner : MR.SARAVANAN, for
M/S.L.GEORGE PAUL ANTO Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

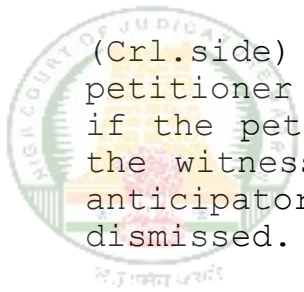
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 IPC., in Crime No. 470 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 20.07.2017, the petitioner and the other accused persons committed theft of the de-facto complainant's 7 HP motor, pipes and wires worth about Rs.60,000/-. Aggrieved by the same, the de-facto complainant lodged a complaint before the respondent police, on 09.09.2017.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case and he has not committed any offences as alleged by the prosecution. He further submitted that the entire contraband were recovered and hence, he prays for anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the State would submit that the petitioner is a habitual offender and he has two previous similar type of cases, which are pending against him and the investigation is in progress.

5. Considering the facts and circumstances of the case and also considering the submissions made by the learned Government Advocate



(Crl.side) that the investigation is not yet completed and the petitioner is a habitual offender and he has two previous cases and if the petitioner is enlarged on anticipatory bail, he will tamper the witnesses and hamper the evidence, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this petition is dismissed.

sd/-

04/10/2017

WEB COPY

/ TRUE COPY /

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

TO

1 THE SUB INSPECTOR OF POLICE
SUCHINDRAM POLICE STATION, SUCHINDRAM

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.L.GEORGE PAUL ANTO Advocate SR.No.32199

ORDER

IN

CRL OP(MD) No.12948 of 2017

Date :04/10/2017

SMA/PN/SAR-4/09.10.2017:2P/4C