



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

Monday, the Sixth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14619 of 2017

T.LINGAMMAL

... PETITIONER / ACCUSED NO.7

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

VEMBAKOTTAI POLICE STATION,

VIRUDHUNAGAR DISTRICT

(CRIME NO.53 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.SATISH Advocate

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

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

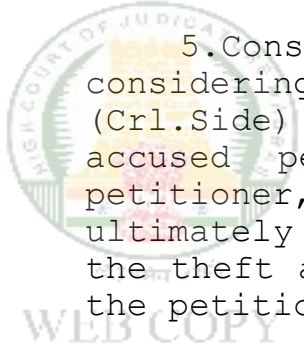
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of I.P.C, in Crime No.53 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 09.02.2017, the accused A1 to A4 are habitual offenders who have stolen 4 sovereigns of gold from the innocent general public which was given to the petitioner-A-7, thereby one of the victim filed a complaint before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner/A7 is an innocent person without knowing the gold which was stolen by A1 to A4 and she has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) appearing for the State submits that only after investigation, it would reveal that the petitioner is innocent or not. However all the accused persons were arrested and the investigation is still pending. He would further submit that till date, the stolen article was not recovered. Accordingly, he vehemently opposed for granting anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and considering the submission made by the learned Government Advocate (Crl.Side) that since the stolen article was not recovered from the accused person and if anticipatory bail is granted to the petitioner, she would tamper the witness and documents, and ultimately the victim's rights will be deprived for non-recovery of the theft article, I am not inclined to grant anticipatory bail to the petitioner/A7. Accordingly, this petition is dismissed.

sd/-
06/11/2017

/ TRUE COPY /

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

RMI
TO

- 1 THE INSPECTOR OF POLICE
VEMBAKOTTAI POLICE STATION, VIRUDHUNAGAR DISTRICT
- 2 THE THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/CM/SAR-I-13.11.2017-2P-3C

ORDER
IN
CRL OP(MD) No.14619 of 2017
Date :06/11/2017