



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

Tuesday, the Fifth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16629 of 2017

THEDCHINAMOORTHY

... PETITIONER/ACCUSED No.2

Vs

STATE REP BY
THE INSPECTOR OF POLICE
B-4, BALUCHETICHATRAM POLICE STATION,
KANCHIPURAM DISTRICT
(CRIME NO. 577 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SARAVANAN Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/accused no.2, who was arrested and remanded to judicial custody on 28.09.2017, for the alleged offences punishable under Sections 454(2), 457(2), 380(2), 411(2), 223, 414 I.P.C., r/w 25(1), 25(2) AAT Act 1972 in Crime No.577 of 2017 seeks bail.

2.The case of the prosecution is that on 10.10.2017, based on the secret information, the Sub Inspector of Police, Idol Wing conducted a surprise check up and found that some ancient idols were illegally transported to foreign country through Aryaperumbakkam junction. Based on the information, on the same day at about 5.45 p.m, the petitioner and three others transporting the precious idol, which was 2000 years old and worth about Rs.2.50 crores. Due to that the Law Enforcing Officer had arrested the petitioner/A2 and other accused persons.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he did not commit any offence as alleged by the prosecution. He further submitted that it is an antique not an idol as alleged by the prosecution. Accordingly, he prayed for the bail.

4.The learned Government Advocate (Crl.side) appearing for the State, on instructions, would submit that the said Idol was 2000



years old, worth about Rs.2.50 crores. On investigation, the Law Enforcing Agency found that the more culprits, who are involved to expose our precious cultural statue to the foreign country.

5. Considering the facts and circumstances of the case and considering the submission made by the learned Government Advocate (Crl.side) and also considering the gravity of offence committed by the petitioner/A2, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail application is dismissed.

sd/-
05/12/2017

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

TO

- 1 THE INSPECTOR OF POLICE
B-4, BALUCHETICHATRAM POLICE STATION,
KANCHIPURAM DISTRICT
- 2 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP (MD) No.16629 of 2017
Date :05/12/2017

SMA/PM-PN/SAR-2/13.12.2017:2P/4c