



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

Thursday, the Twenty First day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17571 of 2017

M.CHANDRA SEKARAN

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
IDOL WING, CHENNAI,
CR.NO.7/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MALAIKANI Advocate

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

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

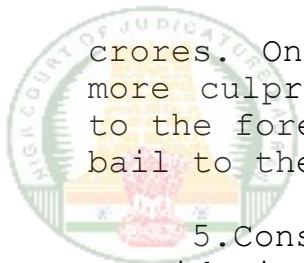
ORDER : The Court Made the following order :-

The petitioner/accused no.2, who was arrested and remanded to judicial custody on 06.11.2017, for the offences punishable under Sections 454(2) and 380 of I.P.C., and Sections 25(1) and 25(2) of Antiquities and Arts Act., in Crime No.7 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that based on the secret information, the defacto complainant and his team inspected room No.21 of Sree Rajeswari lodge at Meetur road Erode and they recovered emerald Sivalinga statue and Nandi Statue, which were more than 1500 years old and worth about more than 7 crores. Accordingly the law Enforcing Agency registered a case against the petitioner and the petitioner was arrested and remanded to judicial custody on 06.11.2017.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. The said Sivalinga and Nandi statues are an antique not an idols as alleged by the prosecution. He further submitted that he had already filed bail application before the learned Principal Sessions Court, Thanjavur in Crl.M.P.No.3520 of 2017 and the same was dismissed on 24.11.2017.

<https://hcservices.ecourts.gov.in/hcservices/>
4.The learned Government Advocate (Crl.side) appearing for the State, on instructions, would submit that investigation is not yet completed and the said Idol was 2000 years old, worth about Rs.7



crores. On investigation, the Law Enforcing Agency found that the more culprits are involved to expose our precious cultural statue to the foreign country and he vehemently opposed this Court to grant bail to the petitioner.

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

sd/-

21/12/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
IDOL WING, CHENNAI.
 - 2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.MALAIKANI Advocate SR.No.36676

ORDER

IN

CRL OP(MD) No.17571 of 2017

Date :21/12/2017

MKV-RR-SAR 3/27.12.2017/2P-5C