



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

Wednesday, the Twenty Fourth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1126 of 2018

1 S.SENTHIL KUMAR
2 VENKATESH

... PETITIONERS / A1 and A2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI CITY,
(CRIME NO.782/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SATHYA CHIDAMBARAM Advocate

For Respondent : Mr.A.ROBINSON Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

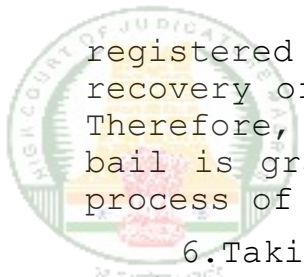
The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 447, 451, 380, 294 (b) 385 & 506 (ii) IPC in Crime No.782 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners have broke open the door of the defacto complainant's shop and stolen some articles from the said shop.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.side) appearing for the respondent Police submitted that the investigation is still pending.

5.The submissions made by the learned counsel on either side are considered. This case has been registered against the petitioners for the offence punishable under Sections 447, 451, 380, 294(b) 385 & 506 (ii) IPC. It is alleged that during the time of occurrence, the petitioners broke open the door of the shop and committed this offence. According to the prosecution, the stolen properties are not yet recovered so far. Generally, the case



registered for the offence punishable under Section 380 and 385 IPC, recovery of property is necessary for completing the investigation. Therefore, custodial interrogation is necessary. If anticipatory bail is granted in favour of the petitioner, it will prejudice the process of the investigation.

6. Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioners at this stage. Accordingly, this Criminal Original Petition is dismissed.

sd/-
24/01/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
TIRUNELVELI JUNCTION POLICE STATION,
TIRUNELVELI CITY
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.1416

JAM/01/02/2018/PM-PN/ SAR 4 /2P-4C

ORDER
IN
CRL OP(MD) No.1126 of 2018
Date :24/01/2018