



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

Monday, the Twenty Ninth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.1349 of 2018

M.SARAN

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
IN CRIME NO.275/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SHAKUL HAMEED, Advocate

For Respondent : M/S.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.1, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 457 and 380 of IPC., in Crime No.275 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused broke open the TASMAL Shop No.7682, Keeladi, Sivagangai District and taken away the liquor bottles. Hence, the case has been registered against the accused persons for the above said crime.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and prays for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the investigation is still pending.

5. The submissions made by the learned counsels appearing for either side are considered. The petitioner along with other 4 accused committed the theft of brandy bottles worth about RS.1,74,000/-. As of now, except this petitioner, other accused were arrested and the property worth about Rs.60,000/- alone is



recovered. So, considering the nature of offence committed by the petitioner, in order to complete the investigation, recovery of stolen property is necessary, for which custodial interrogation is necessary. Hence, for the reasons stated above, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
29/01/2018

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/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1349 of 2018
Date :29/01/2018

MS/CM-VR/SAR.2/12.02.2018/2P.3C