



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

Thursday, the Fifteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3359 of 2018

BANUPRIYA,

... PETITIONER / ACCUSED NO.2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.
CR.NO.11 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate

For Respondent : MR.A.ROBINSON Government Advocate (Crl. Side)

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

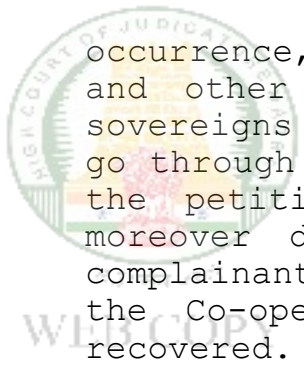
ORDER : The Court Made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 379 and 506(i) I.P.C., in Crime No.11 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused in this case had borrowed a loan of Rs.18,50,000/- from the defacto complainant and subsequently, they stolen away 50 sovereigns gold from her home. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated in this case, he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that totally there are three accused in this case. The petitioner herein is arrayed as A2. He further added that the stolen properties had not been recovered so far. According to him, investigation is still pending.



occurrence, after availing a loan of Rs.18,50,000/-, the petitioner and other two accused in this case committed the theft of 50 sovereigns gold jewels from the defacto complainant's house. Now, on go through the averments made in the F.I.R., it is to be noted that the petitioner herein alone admitted the offence of theft and moreover during the time of interrogation made by the defacto complainant, she stated that the stolen properties are pledged in the Co-operative Bank. As of now, the said property were not recovered. So, considering the gravity of offence committed by the petitioner, custodial interrogation of the petitioner is necessary. Hence, this Court is not inclined to grant anticipatory to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-
15/03/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, RAMANATHAPURAM DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.4277

MSA
GJM/RR/CSL/SAR-1-23.3.18-2P-4C

ORDER
IN
CRL OP(MD) No.3359 of 2018
Date :15/03/2018