



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

Thursday, the Twenty Second day of March Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4520 of 2018

PREMA

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
AIRPORT POLICE STATION, TRICHY CITY,
TIRUCHIRAPPALLI.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.SANJEY VIGNESH 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 petitioner/A2, who apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 406, 419, 420, 294(b), 506(i) I.P.C., in Crime No.48 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the first and second accused in this case are husband and wife. The first accused is none other than the brother of the defacto complainant. The first and second accused in this case is said to have threatened the defacto complainant, got ATM card and misappropriated a sum of Rs.4,50,000/-. When the same was questioned by the defacto complainant, the petitioner abused her by using the filthy language and also threatened with dire consequences. 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, she has been falsely implicated, further added that she has not committed any offence as alleged, and pleads for grant of anticipatory bail to the



4.The learned Government Advocate(Criminal Side) appearing for the State submitted that stolen properties have not been recovered. According to him, investigation is still pending.

5.The submissions made by the learned counsel appearing on either side are considered. It is alleged, before the occurrence, the petitioner and her husband being the relatives of the defacto complainant stayed in the house of the defacto complainant. In this circumstances, during the time of alleged occurrence, the petitioner using the cheque book and ATM Card owned by the defacto complainant and stolen away a sum of Rs.4,50,000/- and also pledged the jewels, which belongs to the defacto complainant. According to prosecution, as of now, those amount and jewels were not recovered by the respondent police. Further, the petitioner herein and her husband threatened the defacto complainant and committed the offence. So, previously, the very same petitioner had filed an anticipatory bail application for two times and the same had been dismissed by this Court. Subsequently, without any changes, he filed this application is liable to be dismissed. More over, for recovering the misappropriated amount, custodial interrogation of the petitioner is very much necessary. So, considering the facts and circumstances of the case, this Court is not inclined to granted anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-

22/03/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
AIRPORT POLICE STATION, TRICHY CITY,
TIRUCHIRAPPALLI.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.4520 of 2018

Date :22/03/2018

SDS/PMI/SAR-4/12.04.2018/2P/3C