



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

Thursday, the Twenty Eighth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3145 of 2019

KUTTIPULI @ K.SELVAKUMAR

... PETITIONER / ACCUSED NO.7

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
TUTICORIN DISTRICT.
CRIME NO.417/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.V.MALAIYENDRAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

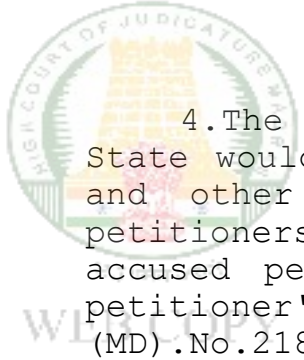
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 397 of IPC, in Cr.No.417 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on the date of occurrence, near Dhanasekaran Nagar near AB Sabha, the petitioners and other accused persons threatened the school going children and grab the money from them. When the same was questioned by the defacto complainant, the petitioners and other accused persons snatched the gold chain and android cell phone from the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution. He further submits that there was quarrel in the street, in which the defacto complainant and other persons intervened for pacifying the matter, thereby the cell phone and other things of the defacto complainant are missing from the place.



4.The learned Government Advocate (Crl. side) appearing for the State would submit that investigation is still pending. Gold chain and other valuable things are yet to be recovered from the petitioners which are in possession of the petitioners. Since the accused persons are absconded, they are unable secure them. The petitioner's earlier application for anticipatory bail in Crl.O.P. (MD).No.2182 of 2019 was dismissed by this Court on 12.02.2019. Now, there is no change of circumstances. Hence, he vehemently opposed the grant of anticipatory bail.

5.Considering the fact and circumstances of the case and the gravity of offence and since there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition stands dismissed.

sd/-
28/02/2019

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
TUTICORIN DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3145 of 2019
Date :28/02/2019

JM/JC/SAR 2/12.03.2019/2P/3C