

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl. O.P. No. 7754 of 2020

Mani @ Manikandan,
S/o. Ram Moorthy,
No.288, 15th Street,
N.S.K. Nagar, Arumbakkam,
Chennai 600 106.

.. Petitioner/ Accused

Vs.

The State rep. by its
The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

[Crime No. 455 of 2020]

.. Respondent/ Complainant

Prayer: Criminal Original Petition filed for anticipatory bail under Section 438 of Criminal Procedure Code.

For Petitioner : Mr. S.V. Karthikeyan

For Respondent : Mr. M. Jothikumar
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for alleged offence punishable under Section 395 of I.P.C., in Crime No.455 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that on 18.04.2020, when the de-facto complainant, her son and daughter-in-law were sleeping in the first floor of the house, some identifiable persons entered the house at knife point, threatened the de-facto complainant, her son and daughter-in-law and snatched four gold chains and ring, totally weighing eight sovereigns. The de-facto complainant and others raised an alarm of the theft. On hearing the scream, elder son of the de-facto complainant who is residing in the ground floor of the same house and her neighbours caught five persons red handed. The petitioner and other accused escaped. On complaint, a case has been registered under Section 395 of I.P.C.

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3. The learned counsel appearing for the petitioner submitted that the petitioner is residing two houses behind the house wherein the occurrence has

taken place. The petitioner accompanied de-facto complainant to give complaint to the Police. The petitioner is nothing to do with the alleged theft and he has no connection with the persons who committed theft. The petitioner is falsely implicated in the case. The petitioner is permanent resident, he will not abscond and prayed for granting anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner and others, during lock down period due to COVID-19, committed theft at knife point. Five persons were caught red handed, eight sovereigns of gold jewels and two cell phones were seized from the persons. The petitioner and another accused escaped from the place of occurrence and are absconding. The petitioner is involved in another case in Crime No. 454 of 2020, on the file of the respondent Police, he has committed serious offence and vehemently opposed for granting anticipatory bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

6. Considering the serious nature of offence alleged to have been committed by the petitioner and others, this Court is not inclined to grant anticipatory bail to the petitioner, as the petitioner will hamper the investigation.

7. Accordingly, this Criminal Original Petition is dismissed.

21.05.2020

Index : Yes / No
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To

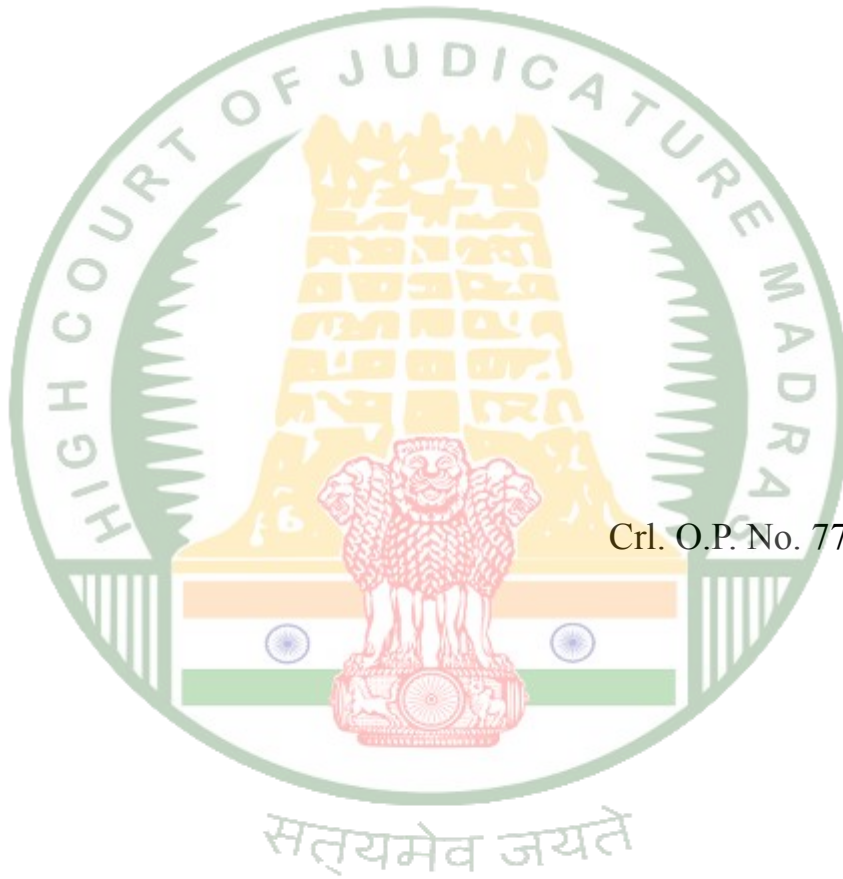
1.The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

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V.M.VELUMANI, J.,

gsa



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