

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.09.2020

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.15042 of 2020

Akash @ Anastraj

... Petitioner

Vs.

State, rep. by,
The Inspector of Police,
Nellikuppam Police Station,
Cuddalore District-607 105.
Crime No.448 of 2019

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code, to enlarge the petitioner on bail in the event of his arrest in Crime No.448 of 2019 on the file of the respondent police.

For Petitioner : Mr.N.V.Pressana

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 380 of IPC, in Crime No.448 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that as per the de-facto complainant one viz., Sandiya is that the petitioner along with accused entered into her house and committed theft of jewels and mobile. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner name actually does not find a place in the FIR and only on the basis of the confession statement of one of the arrested accused, his name has been included in this case.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner along with two other accused committed theft of jewels and mobile belonging to the de-facto complainant. The accused No.A1 and A2 were arrested and in custody till date, but the jewels are not recovered. He would further submit that the petitioner has been involved in one previous case of similar nature.

5. Considering the facts and circumstances of the case and the petitioner being a habitual offender and already involved in one previous case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/09/2020

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, CUDDALORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
NELLIKUPPAM POLICE STATION,
CUDDALORE DISTRICT - 607 105

CC to M/S. N.V.PRESSANA Advocate on payment of necessary charges

CRL OP.15042/2020

Date :24/09/2020

RVR 01/10/2020

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