



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/03/2020

PRESENT

WEB COPY

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4061 of 2020

V.Kannan

... Petitioner /Sole /Accused

Vs

The Inspector of Police,
Nagiahpuram Police Station,
Madurai District
In Cr No.29/2020.

... Respondent/Complainant

For Petitioner : Mr.T.Ajmalkhan
for M/s.Apri Law Associates,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

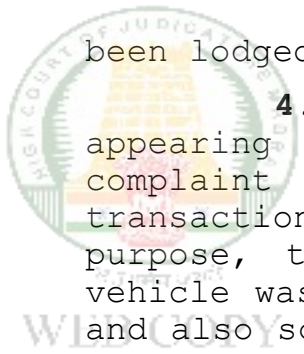
for Anticipatory bail in Crime No.29 of 2020 on the file of the
respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner.

2. It is the specific case against the petitioner that he has stolen the Bolero car of one Meera and thereby, committed the offence under Section 380 of I.P.C., whereas, the case of the petitioner is that the said vehicle was purchased by his employer viz., Velayutham and in the name Meera, entrusted to him to take care of the business, since he was working under Veluyathum, as Manager. The complaint is given by one Arun Kumar, husband of Meera.

3. The learned counsel appearing for the petitioner would submit that there is a motive behind this complaint, since he has given a complaint against Meera for running a Siddha Clinic without proper license. In order to wreak vengeance and pressurized the petitioner to withdraw the said complaint, the case of theft has



been lodged against him by Arun Kumar, the husband of Meera.

4. The learned Government Advocate (Criminal side) appearing for the State would submit that investigation on the complaint given by Arun Kumar reveals that there was business transaction between Arun Kumar and Velayutham and for the said purpose, the vehicle of Meera was given to Velayutham and that vehicle was taken away by the petitioner herein, without permission and also some of the Bank documents like Cheque book was also taken away by the petitioner and it is the matter for investigation.

5. In the said circumstances, this Court finds that admittedly, the petitioner is not the owner of the vehicle. But the vehicle has been seized from the petitioner. The petitioner would submit that the vehicle was entrusted to him by Velayutham, who is not the owner of the vehicle. Hence the justification holding the vehicle by the petitioner appears to be *prima facie* without any basis, this Court is not inclined to entertain the anticipatory bail petition.

6. At this juncture, when this Court was supposed to dismiss the anticipatory bail for want of merits, the learned counsel appearing for the petitioner seeks leave of this Court to withdraw this Petition and he has also made an endorsement to that effect.

7. In view of the submissions and the endorsement made by the learned counsel appearing for the petitioner, the Criminal Original Petition stands dismissed as withdrawn.

sd/-
04/03/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

ORDER
IN
CRL OP(MD) No.4061 of 2020
Date :04/03/2020