



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

Date : 25/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.9953 of 2020

Muthukumar @ Allah

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District.
Crime No.251/2020.

... Respondent/Complainant

For Petitioner : M/s.C.Susi Kumar,
Advocate.

For Respondent : Mr.S.E.Veronica Vincent,
Government Advocate (Crl.Side)

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

PRAYER :-

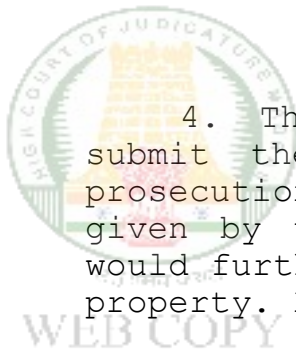
For Anticipatory Bail in Crime No.251 of 2020 on the file of
the Respondent Police

ORDER : The Court made the following order :-

The petitioner who is arrayed as A-3 apprehending arrest at the hands of the respondent police for the offence punishable under section 392 of IPC, in Crime No.251 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is arrayed as A-3. The allegation is that the petitioner is the master mind and he instructed to A-1 & A-2 to snatch chain and as per his direction, A-1 & A-2 said to have snatched the chain belongs to the defacto complainant and the chain was handed over to the petitioner. Thereafter, the petitioner has mortgaged the chain in a Pan broker shop and given Rs.20,000/-each to A-1 & A-2. Based on a confession statement of A-1 & A-2 this petitioner has been implicated in this case.

3. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (criminal side).



4. The learned counsel appearing for the petitioner would submit that he did not involve any crime as alleged by the prosecution. He would further submit that based on the confession given by the co-accused he has been implicated in this case. He would further submit that he did not know that the chain was stolen property. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police has submitted that, since A-1 and A-2 said to have snatched the chain from the defacto complainant as per direction of this petitioner. He further submitted that, subsequently, the chain was handed over to the petitioner and the same was pledged to a Pan Broker shop and also distributed Rs.20,000/-each to A-1 & A-2. He further submitted that there are two previous cases pending against the petitioner.

6. Considering the facts and circumstances and considering the fact that this petitioner is a master mind of the crime and only on his direction the occurrence has taken place and that apart there are two previous cases pending against the petitioner, this Court is not inclined to grant anticipatory bail.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
25/09/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
THIRUPULLANI POLICE STATION, RAMANATHAPURAM DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9953 of 2020
Date : 25/09/2020

KSA

<https://hcmv.csr.gov.in/Services/2020/2P/3C>