



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

Date : 14/10/2020

PRESENT

WEB COPY

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.10139 of 2020

A.Marisamy

... Petitioner/10th Accused

Vs

The State rep. by
The Inspector of Police,
CBCID Idol Wing, Chennai,
Veeravanallur Police Station,
Tirunelveli District.
Crime No. 12/1995.

... Respondent/Complainant

For Petitioner : M/s.K.Guhan, Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.12 of 1995 on the file of the Respondent Police.

ORDER : The Court made the following order :-

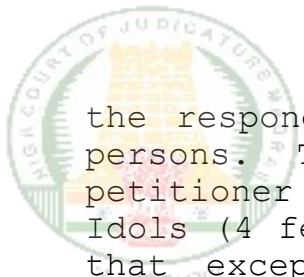
The petitioner, who is arrayed as accused No.4 apprehending arrest at the hands of the respondent police for the offence punishable under Sections 457 & 380 of IPC @ under Sections 380, 457 (2), 380 (2), 414 r/w 120 (b) IPC & Section 25 (1) of AAT Act, 1972, Crime No.12 of 1995, seek anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused stolen 2 Dwara Balakar Stone Idols (4 feet high), worth about 4.98 crores. Hence, a case has been registered.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for anticipatory bail to the petitioner.

5.The learned Government Advocate (Criminal Side) appearing for



the respondent Police submitted that there are totally 10 accused persons. The petitioner herein arrayed as accused No.4. The petitioner along with other accused stolen 2 Dwara Balakar Stone Idols (4 feet high), worth about 4.98 crores. He further submitted that except this petitioner and accused No.9, all the accused persons were arrested and remanded to judicial custody. Further, the petitioner is having three previous cases similar in nature and the custodial interrogation of the petitioner is absolutely necessary. Hence, he opposed to grant anticipatory bail to the petitioner.

6. Taking into consideration of the fact that except this petitioner and accused No.9, all the accused persons were arrested and remanded to judicial custody and also considering the fact that the petitioner is having three previous cases similar in nature, the custodial interrogation of the petitioner is absolutely necessary. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
14/10/2020

/ 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,
CBCID IDOL WING, CHENNAI,
VEERAVANALLUR POLICE STATION, TIRUNELVELI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.GUHAN, Advocate (SR-7003[I] dated 14/10/2020)

ORDER IN
CRL OP(MD) No.10139 of 2020
Date :14/10/2020

DSS
SRS/AKM/SAR-IV/28.10.2020/ 2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>