



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2020

PRESENT

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

CRL OP(MD). No.11645 of 2020

Ramkumar

... Petitioner/Accused No.3

Vs

State Rep. by
The Inspector of Police,
Mallankinaru Police Station,
Kariyapatty Taluk,
Virudhunagar District.
(Cr.No.258 of 2020)

... Respondent/Complainant

For Petitioner : M/s.P.Ganapathi Subramanian,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For an Anticipatory Bail in Cr No. 258 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A-3 apprehending arrest at the hands of the respondent police for the offences punishable under sections 371, 294(b), 392, 323 & 353 of IPC r/w Section 4 of Tamil Nadu prohibition of Harassment of Women Act, 2012 and 67(A) of Information Technology Act, 2000, in Crime No.258 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.05.2020, the defacto complainant and victim were came on their two wheeler, the petitioner along with other accused persons said to have way laid them and snatched gold chain weighing about 1 ½ sovereigns. Hence, a complaint has been registered.



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

4. The learned counsel appearing for the petitioners would submit that the petitioner is an innocent person. He further submitted that he has never committed any offence as alleged by the prosecution. He further submitted that, infact, the petitioner name was not found in the FIR and subsequently, has been implicated as an accused, only to wreck the vengeance as against the petitioner herein. Hence, he seek anticipatory bail.

5. The learned Government Advocate (criminal side) appearing for the respondent police would submit that totally there are three accused in this case and all the three accused persons have way laid the two-wheeler which was driven by the defacto complainant and also threatened them with knife point and snatched gold chain weighing about 1 ½ sovereigns from the victim girl and thereafter, they also pushed them down and assaulted with stick. He further submitted that the three accused persons videographed the said occurrence and threatened them that, whenever they are asking money they have to give and therefore, all the accused persons said to have committed very serious offence. He further submitted that A-1 & A-2 were already arrested and remanded into judicial custody and the property was also recovered.

6. It is seen from the records that there are totally three accused in which the petitioner was arraigned as A-3 and A-1 & A-2 were already arrested and released on bail. Insofar as the petitioner herein is concerned he only snatched the chain from the victim on knife point and further videographed the said occurrence and threatened them to extract money by showing the videograph. The petitioner herein is being Armed Force, ought not indulge such kind of crime. Therefore, this Court is not inclined to grant anticipatory bail.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-

29/10/2020

/ 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,
MALLANKINARU POLICE STATION,
KARIYAPATTY TALUK,
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL OP (MD) No.11645 of 2020

Date :29/10/2020

KSA

TE/JC/SAR-III : 18/11/2020 : 3P/3C