



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

Date : 23/12/2020

PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

**CRL OP(MD) .No.15662 of 2020**

1.R.Rajesh  
2.Vijayaraj

... Petitioners/Accused Nos.2 & 4

Vs.

The Inspector of Police,  
Kulasekaram Police Station,  
Kanyakumari District.  
Cr.No.117 of 2019.

... Respondent/Complainant

For Petitioners: Mr.Sreenivasan.M.R,  
Advocate.

For Respondent : Mrs.M.Ananthadevi,  
Government Advocate (Crl.Side)

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

PRAYER :-

For anticipatory Bail in Crime No.117 of 2019 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A2 & A4, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 457 and 380 IPC., in Crime No.117 of 2019, seek anticipatory bail.

2.The case of the prosecution is that on 25.05.2019, the respondent police received a complaint from one John Ebenezer, S/o.Chellappan that he has been running a Super Market at Pinamthode, Kulasekaram Post in the name and style of KCN Super Market and on 24.05.2019 at 10.45 p.m. he closed the shop and went to his house. On 25.05.2019 at 6.30 a.m. when he came to the shop to open, he found that the lock was broken and shutter of the shop was opened and found Rs.63,000/- cash was found missing from the



shop and a hard disc worth about Rs.20,000/- was also committed theft. Total value of the things lost is Rs.83,000/-. Hence, he made a complaint before the respondent police and the same has been registered.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. The learned counsel appearing for the petitioners submitted that A1 already arrested and remanded to judicial custody. On the confession of A1, the petitioners are falsely implicated in this case. He further submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

5. The learned Government Advocate (Crl.side) Submitted that A1 was arrested and remanded to judicial custody. All the accused persons have broken the shutter of the shop and theft a sum of Rs.63,000/- cash and a hard disc.

6. It is seen that there are totally four accused in this case, the petitioners are arrayed as A2 and A4. They have committed the offence of broken and open of shutter and committed theft of a sum of Rs.63,000/- and also they have stolen hard disc.

7. Taking into consideration all the above facts and also taking into consideration the gravity of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

8. Hence, the Criminal Original Petition stands dismissed.

sd/-  
23/12/2020

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/ /2021  
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,  
KULASEKARAM POLICE STATION,  
KANYAKUMARI DISTRICT.

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

+1. CC to M/S.SREENIVASAN.M.R Advocate SR.No.8552

ORDER

IN

CRL OP(MD) No.15662 of 2020

Date :23/12/2020

vsd

PK/SMA/SAR-II/07.01.2021 : 3P/4C