

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.No.460 of 2021

M.Dinesh Kumar

.. Petitioner/A6

Vs.

State represented by
Inspector of Police,
R-3 Madukarai Police Station,
Coimbatore.
(Crime No.1867 of 2020)

.. Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code praying to enlarge the petitioner on bail in the event of their arrest in Crime No.1867 of 2020 pending investigation on the file of the Respondent.

For Petitioner : Mr.P.Kannan

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner who is A6, apprehend arrest at the hands of the respondent police for the alleged offence under Section 399 of IPC, in Crime No.1867 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there are six accused in this case. The accused used to steal car and remove the GPS equipment fitted in the car and thereafter sell them. So far eleven cars were recovered from the possession of all the accused. Hence, the respondent police registered a case against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner. The learned counsel further submitted that A1 to A3 were arrested and some of the co-accused were also released on bail.

4. The learned Additional Public Prosecutor appearing for the respondent vehemently oppose this petition. He stated that the accused used to steal cars from Bangalore and remove the GPS equipment fitted in the car and used to sell them to various persons in Tamil Nadu. The petitioner (A6) is a habitual offender. He along with other accused stole and sold many cars. So far 11 cars were recovered from all the accused and some other vehicles are yet to be recovered. He would further submit that there are every chances of him getting absconded and thereby, derailing the progress of investigation.

5. Taking into consideration the gravity of the offence and recoveries are yet to be made and considering the fact that the petitioner is a habitual offender, this Court is not inclined to grant anticipatory bail to the petitioner.

6. This Criminal Original Petition stands dismissed accordingly.

-sd/-
25/01/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MADUKARAI, COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
R-3, MADUKARAI POLICE STATION,
COIMBATORE.

CC to M/S.P.KANNAN Advocate on payment of necessary charges

CRL OP.460/2021

Date :25/01/2021