

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.No.638 of 2021

Pragash

.. Petitioner

Vs.

State represented by
Inspector of Police,
Tindivanam Police Station,
Villupuram District.
(Crime No.2505 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.2505 of 2020 pending investigation on the file of the Respondent.

For Petitioner : Mr.R.Sasikumar

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

O R D E R

(The case has been heard through video conference)

The petitioner who is A3, apprehend arrest at the hands of the respondent police for the alleged offence under Section 379 of IPC, in Crime No.2505 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 10.11.2020, the defacto complainant lodged a complaint stating that his two wheeler was missing and stolen by somebody on 10.11.2020, based on the complaint, the respondent police suspected the petitioner herein and some others that they would have stolen the said two wheeler. 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 and A2 were arrested and released

on bail.

4. The learned Additional Public Prosecutor appearing for the respondent vehemently oppose this petition. He stated that many two wheelers were stolen and sold by the petitioner along with other accused. The petitioner (A3) is a habitual offender. He along with A1 and A2 stole and sold many two wheelers. So far 18 two wheelers were recovered from the petitioner 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 trial.

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/-
20/01/2021

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 INSPECTOR OF POLICE, TINDIVANAM POLICE
STATION, VILLUPURAM.

2 THE JUDICIAL MAGISTRATE -1,
THINDIVANAM

3 THE CHIEF JUDICIAL MAGISTRATE,
VILLUPURAM DISTRICT [FOR INFORMATION]

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.638/2021

Date :20/01/2021

ksm29/01/2021