

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

CrI.O.P.No.1029 of 2021

A.Prabakaran

... Petitioner

Vs.

The State Rep. by  
The Inspector of Police,  
M-3 Puzhal Police Station  
Puzhal, Chennai.  
(Crime No.2860 of 2020)

... Respondent

**PRAYER:** Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.2860 of 2020 pending on the file of the respondent.

For Petitioner : Mr.B.Ganesha Moorthy

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

O R D E R

(The case has been heard through video conference)

The petitioner is a sole accused. He apprehends arrest at the hands of respondent police for the offence punishable under Section 379 and 511 of I.P.C. in Crime No.2860 of 2020 on the file of respondent police and now, he has filed the above petition seeking for anticipatory bail.

2. The case of the prosecution is that the petitioner said to have broke open the windscreen of a car and also tried to steal the car. Hence, the present complaint has been registered against the petitioner and now, he is seeking anticipatory bail.

3. The learned counsel appearing for petitioner would submit that he is an innocent person and he is no way connected with the alleged offence made out in the complaint. He would also submit that he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is an habitual offender and he is having two previous

cases. He would submit that he used to broken the windscreen of a car and stole the articles in the car. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have heard and considered the submissions made by the learned counsel appearing for petitioner as well as Additional Public Prosecutor and perused the records.

6. Taking into consideration of the fact that as the petitioner is an habitual offender and having two previous cases against him, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
27/01/2021

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,  
MADHAVARAM, CHENNAI.

2. THE CHIEF JUDICIAL MAGISTRATE,  
TIRUVALLUR DIST. [FOR INFORMATION]

3. THE INSPECTOR OF POLICE,  
M-3 PUZHAL POLICE STATION,  
PUZHAL, CHENNAI.

4. THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S GANESHA MOORTHY B. Advocate on payment of necessary charges

CRL OP.1029/2021

Date : 27/01/2021

ksm02/02/2021