

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.No.2678 of 2021

Madanlal

... Petitioner

-Vs-

The State

... Respondent

By Inspector of Police,
Tirupathur Police Station,
Vellore District.
(Crime No.1571 of 2020).

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1571 of 2020 is pending on the file of the respondent police.

For Petitioner : Mr.P.Rameshkumar

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

The case has been heard through video conference

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 457 and 380 of IPC, in Crime No.1571 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused person had broke open the godown belongs to the defacto complainant and stolen banned tobacco products worth about of Rs.28 Lakhs. Hence, the complaint was registered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence and he has been falsely implicated in this case. He would further submit that co-accused has already been arrested and based on the confession of co-accused, he was implicated in this case.

He would further submit that there is no previous case pending as against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submits that there are totally five accused persons involved in this crime. He would further submit that the petitioner along with other accused person had broke open the godown belongs to the defacto complainant and stolen banned tobacco products worth about of Rs.28 Lakhs. He would further submit that CCTV footage is available and the respondent police wants to compare the same and stolen goods yet to be recovered. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the rival submission on either side and on perusal of the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the fact that co-accused has already been arrested and CCTV footage is available and stolen goods are yet to be recovered, the petitioner has involved very serious offences and bad antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
19/02/2021

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.

WEB COPY

TO

1 THE JUDICIAL MAGISTRATE,
TIRUPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
VELLORE [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

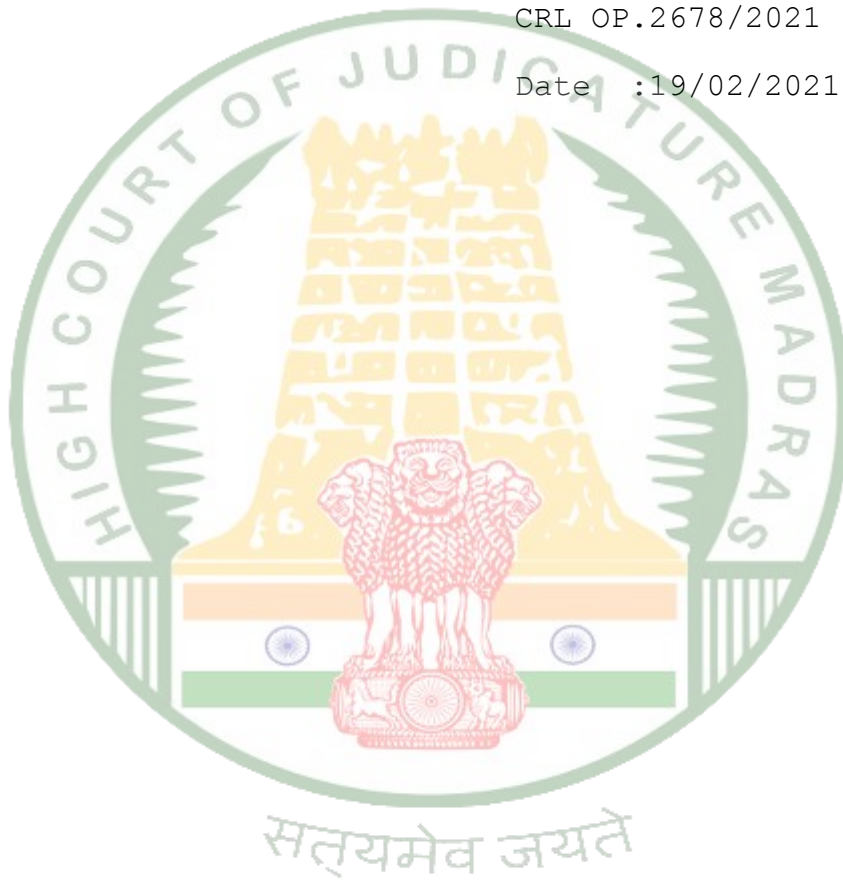
4 THE INSPECTOR OF POLICE,
TIRUPATHUR POLICE STATION,
VELLORE DISTRICT.

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

CRL OP.2678/2021

Date :19/02/2021

EP-15/03/2021



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