

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.3085 of 2021

PRAGASH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
TINDIVANAM POLICE STATION,
VILLUPURAM DISTRICT
(CR.NO.2505/2020)

[RESPONDENT / COMPLAINANT]

For Petitioner : R.SASIKUMAR Advocate

For Respondent : M/S. S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner apprehends 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 respondent police, seeks anticipatory bail.

2. The case of the prosecution is that totally there are 3 accused and the petitioner is A3. The allegation is that the petitioner along with other accused persons have stolen twelve two wheelers, out of which three two wheelers was handed over to the petitioner. Based on confession statement given by A1, six two wheelers were recovered and other vehicles are yet to be recovered. Hence, the respondent police registered the case against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and only based on the confession statement given by the co-accused the petitioners have been falsely implicated in this case. He would further submit that nothing was recovered from A1. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional public prosecutor would submit that the petitioner along with other accused have stolen many two wheelers and 8 two wheelers were recovered and some other vehicles are yet to be recovered. He would further submit that the petitioner is a habitual offender and this is the second anticipatory bail application and the earlier application was dismissed by this Court. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the gravity of offence committed by the petitioner and recoveries are yet to be made and also 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 is dismissed accordingly.

-sd/-

25/02/2021

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.

TO

1 THE INSPECTOR OF POLICE,
TINDIVANAM POLICE STATION,
VILLUPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.3085/2021

Date :25/02/2021