

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Twenty Sixth day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.3572 of 2021

PRAGASH

[PETITIONER/ACCUSED (A3) ]

Vs

STATE REP BY,  
THE INSPECTOR OF POLICE,  
TINDIVANAM POLICE STATION,  
VILLUPURAM DISTRICT.  
CRIME NO.2493/2020.

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S.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 2493 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 were 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 third anticipatory bail application and the earlier two applications were 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/-

26/02/2021

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.

2 THE PUBLIC PROSECUTOR,  
HIGH COURT, MADRAS.

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

CRL OP.3572/2021

Date :26/02/2021

EP-16/03/2021