



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM:

THE HON'BLE JUSTICE MRS.V. BHAVANI SUBBAROYAN

CrI.O.P.Nos. 11878 & 11879 of 2021

Gopinath

...Petitioner/A5
(in both CrIOPs)

/Vs/

The Inspector of Police,
J6, Tiruvanmiyur Police Station,
Chennai,
Cr.Nos.163 & 167)

...Respondent

Common Prayer: Criminal Original Petitions are filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest at the hands of the respondent pending investigation in Cr.Nos.163 & 167 of 2020 on the file of the respondent police.

For Petitioner : Mr.S.Senthilvel
(in both CrIOPs)

For Respondents : Mr.S.Vinothkumar
(in both CrIOPs) Counsel for Govt. of Tamil Nadu
(Criminal Side)

COMMON ORDER

The petitioner/A5, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 of IPC, in Crime No.163 of 2020 in CrI.O.P.No.11878 of 2021 and Crime No.167 of 2020 in CrI.O.P.No.11879 of 2021 seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Counsel for Government of Tamil Nadu, (Criminal Side) appearing for the respondent and perused the materials available on record.

3. The case of the prosecution is that the de-facto complainant had parked his car nearby T.T.K. Hospital, 4th Avenue, on 04.03.2020 and it was found missing on the next day. Hence, the complaint was registered against this petitioner/A5.



4. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that when the respondent police tracked the call details between A1 to A5, they found the phone number of the petitioner herein. Hence, he prays for grant of anticipatory bail to the petitioner.

5. The learned Counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent would submit that the petitioner along with other accused have indulged in buying and selling of stolen cars. They were already arrested and later, released on bail. Following the series, three cars have been recovered from the accused so far. He would further submit that seven previous cases are pending against the petitioner. Earlier, the petitioner had already been filed in CrI.O.P.Nos.7622 and 7716 of 2021 for the very same relief, which were dismissed by this Court dated 23.04.2021. Hence, he opposed for grant of anticipatory bail to the petitioner.

6. Taking into consideration the facts of the case and the submissions made by the learned Govt. Counsel and also taking note of the fact that the petitioner is an habitual offender, this Court is not inclined to grant anticipatory bail to the petitioner, at this stage, both the Criminal Original Petitions are dismissed accordingly.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Inspector of Police,
J6, Tiruvanmiyur Police Station,
Chennai,
(Cr.Nos.163 & 167)

2. The Public Prosecutor,
High Court of Madras.

CrI.O.P.Nos. 11878 & 11879 of 2021

AK-II(CO)
RGA(24/08/2021)