



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Nineteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.14757 of 2021

MAHENDRAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
UTHIYUR POLICE STATION,
TIRUPPUR DISTRICT
CRIME NO.427/2021

[RESPONDENT]

For Petitioner : M/S.J.FRANKLIN Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

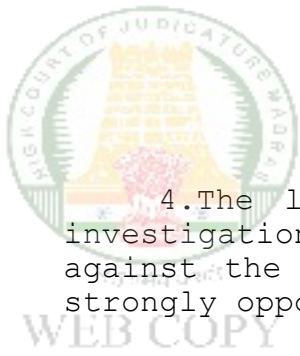
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 379 of I.P.C. in Cr.No.427 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto-complainant was in agriculture field along with one mohanraj, the petitioner took the Yamaha crux two wheeler which belongs to defacto complainant without the consent of the defacto-complainant. Hence the case was lodged by the defacto-complainant against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner and the defacto-complainant are close friends and the petitioner took the Bike with the permission of the defacto-complainant and the same was handed over to the defacto-complainant after sometime. Hence prays for grant of anticipatory bail.



4. The learned Additional Public Prosecutor submitted that the investigation is pending in this case and there are 3 previous cases against the petitioner and he is an habitual offender and hence he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, since there are 3 previous cases against the petitioner and the further fact that the defacto complainant has nowhere admitted the petitioner to be his friend, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

-sd/-
19/08/2021

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,
UTHIYUR POLICE STATION,
TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.J.FRANKLIN Advocate on payment of necessary charges

CRL OP.14757/2021

Date :19/08/2021

JPA 06/09/2021