

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Nineteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION NO.18191 OF 2020

AND CRL.MP.NO.8817 OF 2020

R.SENTHIL KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT / COMPLAINANT]

THE INSPECTOR OF POLICE,
KRISHNAPURAM POLICE STATION,
DHARMAPURI DISTRICT.
IN CRIME NO.974 OF 2020

K.MANIKANDAN

[PETITIONER / COMPLAINANT]

[Ordered as per order of this Court dated 19/04/2021 made in
CRL.MP.NO.8817 OF 2020 IN CRL.OP.NO.18191 OF 2020]

For Petitioner : M/S. M.G.JEYASELAN Advocate

For Respondent : MR.T.SHUNMUGARAJESWARAN Govt. Advocate (Crl. Side)

For Intervener : M/S.K.GANGADARAN Advocate

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 406 and 420 of IPC in Cr.No.974 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running a lorry booking office at Madurai and he got an booking offer to transport Iron Scrap material through R.N.Transport to transport 26360 Kg of old iron scrap. The lorry was driven by one Ramesh and the defacto complainant had also given cash of Rs.20,000/- to the said driver. On 22.03.2020, the defacto complainant got call from the driver that since lock down was declared, he cannot move the vehicle and that the vehicle has been halted at Hosur. Thereafter, the goods were kept under the custody of one Kannairam and photographs of the same were taken by the petitioner. After lock down was over, when the defacto complainant asked the said Kannairam to return the goods, it was informed that the goods were taken by the petitioner. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case.

4.The learned counsel appearing for the intervenor/ defacto complainant would submit that the petitioner, during the lock down period, without the knowledge of the defacto complainant and the lorry driver had taken away the goods and had not returned them and vehemently opposed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate would submit that one previous case is pending as against the petitioner.

6.Considering the gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner.

7.This criminal original petition is accordingly dismissed.

-sd/-
19/04/2021

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,
KRISHNAPURAM POLICE STATION,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. M.G.JEYASELAN Advocate on payment of necessary charges

CRL.OP.NO.18191/2020
& CRL.MP.NO.8817/2020

Date :19/04/2021

MK:30/06/2021