



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.22239 of 2021

R. SENTHIL KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KRISHNAPURAM POLICE STATION,
DHARMAPURI DISTRICT.
CRIME NO.974 OF 2020

[RESPONDENT]

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

For Respondent : MR. S.BALAJI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest 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 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 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 submits that based on the confession of one Kannairam that the petitioner has taken away the goods of 26360 Kgs in which only 8000 Kgs has not been recovered. Hence, he prays for grant of anticipatory bail.

4.The learned Government Advocate (Crl.Side) submitted that the balance property has not been recovered from the petitioner. He further submits that earlier this Court had dismissed the anticipatory bail petition filed by the petitioner and this is the second anticipatory bail petition filed by him. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Taking into account the fact that there are two previous cases pending against the petitioner and yet the balance property has not been recovered and the earlier anticipatory bail petition was dismissed by this Court and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

-sd/-

24/11/2021

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.JEYASEELAN Advocate on payment of necessary charges

CRL OP.22239/2021

Date :24/11/2021

RW 07/12/2021