



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24845 of 2021

1 SANTHOSH DHIVAKAR
2 DURAI RAJ

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
G-1, TOWN WEST POLICE STATION,
UDHAGAMANDALAM,
THE NILGIRIS.
CRIME NO.216/2021.

[RESPONDENT]

For Petitioner : M/S.K.VIJAYAN Advocate

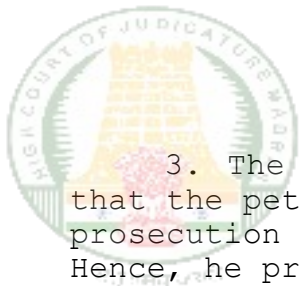
For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offence under Section 379 of IPC in Crime No.216 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 20.10.2021 the defacto complainant, who is a businessman and owns lorry has engaged his lorry Driver (A1) to procure goods worth Rs.5,70,450/- from Venkateswara dealer at Gobichettipalayam and handed over the amount in cash to said Driver. As instructed by the defacto complainant, the A1 took the cash with him and started to the Gobichettipalayam from Gudalur, on reaching Ellan Halli and informed him that the money was missing and that he was before the Respondent police station for lodging a complaint. Hence the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

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4. The learned Government Advocate (Crl.Side) submitted that the amount has not been recovered, no previous case pending against the petitioner and investigation not yet been completed. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of this case, the amount has not recovered, investigation is in initial stage, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
20/12/2021

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,
G-1, TOWN WEST POLICE STATION,
UDHAGAMANDALAM, THE NILGIRIS.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. K.VIJAYAN Advocate on payment of necessary charges

CRL OP.24845/2021

Date :20/12/2021

TA-03/01/2022