



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.1178 of 2021

Rajamanickam

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
Kalayarkoil Police Station,
Sivagangai District.
Crime No.546 of 2020.

... Respondent/Complainant

For Petitioner : Mr.V.Kannan,
Advocate.

For Respondent : Mr.M.Chandra Sekaran,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.546 of 2020 on the file of the Respondent Police.

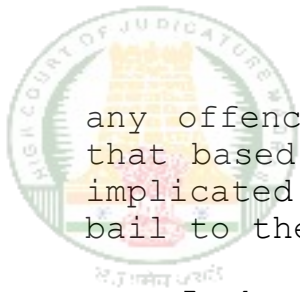
ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent for the offence under Sections 457 and 392 of IPC, in Crime No.546 of 2020 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant was sleeping in his house, the petitioner along with A1 said to have entered into the house of the defacto complainant and snatched the studs and nose stud weighing one sovereigns of gold and escaped from the spot. Hence, the present complaint.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed



any offence as alleged by the prosecution. He further submitted that based on the confession of A1, the petitioner has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Additional Public Prosecutor appearing for the respondent Police submitted that on 08.10.2020, A1 has already been arrested and remanded to judicial custody on 08.10.2020. Based on the confession of A1, the petitioner has been implicated in this case. He further submitted that, since the investigation is in progress, the custodial interrogation of the petitioner is very much required in this case.

6.Considering the facts and circumstances of the case and also considering the fact that since the investigation is in progress, the custodial interrogation of the petitioner is very much required, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-
01/02/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,
KALAYARKOIL POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.1178 of 2021
Date :01/02/2021

vsg

<https://hdcvscs.ecourts.gov.in/cases/2021/2P.3C>