



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

Date : 12/03/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.3917 of 2021

Manikandan

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Bodinayakkanur Police Station,
Theni District.
Crime. No. 55/2021..

... Respondent/Complainant

For Petitioner : Mr.Prakash.K,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime no 55 of 2021 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 13.02.2021 for the offence under Sections 457(2), 380(2), 411 and 414 of IPC in Crime No.55 of 2021 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that on 13.02.2021 at about 16.00 hours, when the police party conducting vehicle checkup, the petitioner drove the vehicle No.TN 01 K 1957 Maruti 800, at that time, the vehicle was stopped and enquired and checked the vehicle. It was found that the Natarajar Idol has been recovered from the vehicle. Hence, the present complaint.



3.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 the other accused persons have handed over the said Idol to the petitioner for custody and sale and the petitioner has not known that it was a stolen one. Hence, he may be granted bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the petitioner has been arrested on 13.02.2021 and other accused have to be identified. On the other hand, the nature of the metal has to be identified and also the period of the identity of the idol have to be ascertained. He further submitted that the investigation is at initial stage.

5.On a perusal of the materials available on records, it is seen that the petitioner has been arrayed as A1, who was driven the vehicle No.TN 01 K 1957 Maruti 800. During the vehicle check up, in the said vehicle Natarajar idol has been recovered. Thereafter, the petitioner had given confession and giving details about A2 to A4. From the confession, it is seen that the petitioner well known A2 to A4. A2 to A4 are still absconding.

6.In view of the same, if the petitioner released on bail at this stage, there is a possibility for the petitioner to abscond and to tamper the evidence. Hence, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-
12/03/2021

/ TRUE COPY /

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

vsg

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
BODINAYAKKANUR POLICE STATION,

<https://hcservices.tn.nic.in/Direct>



2 THE OFFICER INCHARGE,
DISTRICT PRISON,
THEKKAMPATTI, THENI DISTRICT.

WEB COPY

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.3917 of 2021

Date :12/03/2021

NR/PN(25.03.2021) 3P:4C