



WEB COPY

PRESENT

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

Date : 19/04/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD).No.4069 of 2021

Ramachandran ... Petitioner/Sole Accused

Vs

The Inspector of Police,
Boothapandi Police Station,
Kanyakumari District.
Cr.No.453 of 2020.

... Respondent/Complainant

For Petitioner : Mr.Sankar.M.,
Advocate.

For Respondent : Ms.R.Anandhadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.453 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as sole accused, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 380 and 457 IPC, in Crime No.453 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 30.12.2020 at about 12.30 a.m. one unidentified person trespassed into the house of the informant and who is said to have snatched gold chain from the informant. Later, on seeing the foot wares of the accused, the complaint was lodged as against the accused.

<https://hcservices.ecourts.gov.in/hcservices/> learned counsel appearing for the petitioners and



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the learned Government Advocate (Crl.side) appearing for the respondent.

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. Hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that property is yet to be recovered. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

6.It is seen from the submission that on 30.12.2020 at about 12.30 a.m. when the *de facto* complainant was sleeping in her house, the petitioner said to have trespassed into her house and snatched the gold chain. Unless the petitioner apprehended, the property could not be recovered.

7.Considering the facts and circumstances of the case and also considering the fact that this is a case of house trespass and theft and there is no recovery of stolen property so far, this is not a fit case for grant of anticipatory bail to the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

8.Hence, this criminal original petition stands dismissed.

sd/-

19/04/2021

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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
BOOTHAPANDI POLICE STATION, KANYAKUMARI DT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.4069 of 2021

Date :19/04/2021

SMA/24.04.2021/2P/ 3C

<https://hcservices.ecourts.gov.in/hcservices/>