



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/06/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.7774 of 2021

Ramnath

... Petitioner/Accused No.1

Vs

The State Rep. by
The Sub Inspector of Police,
Ariyamangalam Police Station,
Trichy City,
Trichy District.
Crime No.280/2021.

... Respondent/Complainant

For Petitioner : Mr.Vinayak S,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

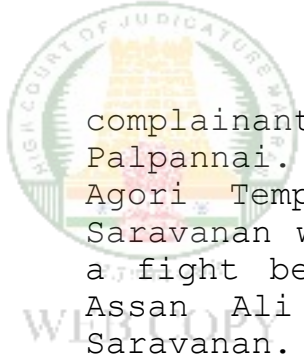
PRAYER :-

For Anticipatory Bail in Crime No.280 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 379 and 506(ii) of I.P.C., in Crime No.280 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is running a two wheeler mechanic shop. He gave Rs.20,000/- to the petitioner 1 ½ years back for purchasing a cell phone. But the petitioner did not buy and give the cell phone and he returned Rs.12,000/- after ten months. To settle the balance amount, the petitioner asked the de-facto complainant to come near Palpannai at about 06.00 p.m., on 06.06.2021. The de-facto



complainant along with his friend, namely, Saravanan went to Palpannai. Then, he was instructed to come near the railway gate Agori Temple. When the de-facto complainant and his friend-Saravanan went there and asked money from the petitioner, there was a fight between them. The petitioner and other accused, namely, Assan Ali attacked the de-facto complainant and his friend Saravanan. Then, the petitioner and Assan Ali along with five persons were standing there intimidated that they would kill them, if they ask money. Fearing for the life, the de-facto complainant and his friend-Saravanan ran away in north to south direction. After one hour, when he returned to the scene of occurrence to retrieve his belongings, the de-facto complainant's two wheeler bearing Registration No.TN-81-E-0189 Honda Activa, I phone cell, Oppo cell phone found stolen by the accused. Therefore, the case came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and therefore, he seeks anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal side) for the respondent submitted that investigation in this case is not completed and three cases are pending against the petitioner in Crime Nos.66 of 2020, 827 of 2016 and 221 of 2019. He further submitted that the properties, namely, the two wheeler and two cell phones alleged to have been stolen by the petitioner and other accused were not yet recovered so far.

5.Taking into the facts and circumstances of the case and the fact that the properties alleged to have been stolen by the petitioner and other accused, namely, the two wheeler and two cell phones had not been recovered so far and also the fact that three previous cases are pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

15/06/2021

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/ /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.



1. THE SUB INSPECTOR OF POLICE,
ARIYAMANGALAM POLICE STATION,
TRICHY CITY,
TRICHY DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.7774 of 2021
Date :15/06/2021

SJI
TE/JC/SAR-I : 21/06/2021 : 3P/3C