



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

Date : 26/10/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD) .No.15904 of 2021

Mohamed Mathina Beevi

... Petitioner/Accused No.5

Vs.

State rep.by
The Inspector of Police,
keelakarai Police Station,
Ramanathapuram District.
(Crime No.233 of 2021)

... Respondent/Complainant

For Petitioner : M/s.K.Sathish Kumar, Advocate.

For Respondent : M/s.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.233 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A5 apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 392 and 397 IPC, in Crime No.233 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 working as a Manager in ESSAR Petrol bunk situated at Keelakarai to Ramanathapuram, ECR road for the past three years. While being so, on 09.09.2021, the defacto complainant along with two employees were working in the said petrol bunk and when the petitioner was standing near the cash counter at about 09.50 p.m, three unknown persons came in white colour Duke Bike without registration number by covering their faces with Kurtha. Thereafter two accused persons came with sword and cut the table and when the



de-facto complainant and other employees ran away from there with fear, the accused persons stole a sum of Rs.1,70,000/- and one Galaxy Tab. Thereafter, the accused persons escaped from the occurrence place. Hence, the de-facto complainant lodged a complaint.

3.The learned counsel for the petitioner submitted that the petitioner did not commit any crime as alleged by the prosecution and she has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police opposed for granting anticipatory bail that the petitioner is the main accused, who is the wife of A1. She only planned the commission of offence and some more properties are yet to be recovered.

5.The petitioner is the wife of A1 and in three places decoity has been committed and total amount involved in the crime is Rs.1,75,000/-. Out of Rs.1,75,000/-, only a sum of Rs.30,000/- has been recovered and remaining amount is yet to be recovered and though all other accused have been arrested, the remaining amount could not be recovered and that the petitioner is only not yet arrested.

6.Considering the facts and circumstances of the case and considering the fact that the major portion of amount is yet to be recovered, this Court is not inclined to grant anticipatory bail to the petitioner.

7.In view of the above, this Criminal Original Petition stands dismissed.

Sd/-
26/10/2021

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

vsd

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,
Keelakarai Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP (MD) No.15904 of 2021

Date : 26/10/2021

SP/JM/SAR III/24/11/2021/3P/3C