



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/10/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.16477 of 2021

Tamil @ Tamilselvan,

... Petitioner/Accused No.2

Vs

State Rep by,
The Inspector of Police,
Bodinayakkanur Police Station,
Theni District
(Crime No. 55 of 2021).

... Respondent/Complainant

For Petitioner : Mr.B.Anandan, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.55 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 457(2), 380(2), 411 and 414 of I.P.C in Crime No.55 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 13.02.2021, when the defacto complainant along with his police parties conducted vehicle check-up, a car bearing Registration No.TN-01-K-1957 came there and the respondent Police stopped the car and enquired the driver of the said vehicle. He gave evasive reply, therefore, the respondent Police searched the vehicle and found a Natarajar idol, measuring 2 ½ feet height and 2 feet breadth. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as



alleged by the prosecution. He would further submit that based on the confession statement of the co-accused, the name of the petitioner has been implicated in this case.

4. Heard the learned Government Advocate (Criminal Side) appearing for the respondent Police.

5. It appears that this is the second application for anticipatory bail. The earlier anticipatory bail Petition filed in Crl.OP(MD)No.9436 of 2021 was dismissed as against the petitioner on 16.07.2021, on the ground that some of the accused are still absconding and only if the accused is apprehended, their role in this case and any other similar offences will be known. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

6. Since there is no change of circumstance and considering the antecedents of the petitioner, this Court is not inclined to entertain this Criminal Original Petition and the same is accordingly dismissed.

sd/-
27/10/2021

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

ssb

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,
THENI DISTRICT .
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16477 of 2021
Date :27/10/2021