



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12932 of 2022

1 RIAJ @ RIYAZ

[PETITIONERS/ ACCUSED]

2 VINITH @ VINEETH

Vs

THE INSPECTOR OF POLICE
UDUMALPET POLICE STATION,
TIRUPPUR DISTRICT.
(CRIME NO. 281 OF 2022)

[RESPONDENT]

For Petitioner : M/S.K.VASANTHANAYAGAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 387 of IPC in Crime No.281 of 2022, seek anticipatory bail.

2. It is the case of the prosecution that the de-facto complainant and others were having a metal called "Iridium". In order to buy the said metal, the petitioners herein and other accused persons paid a sum of Rs.2,00,000/- as demanded by the de-facto complainant. Thereafter, the petitioners herein and other accused persons, namely A1 to A4 had stolen the money received by the de-facto complainant by throwing chilly powder on the face of the de-facto complainant and escaped from the scene of occurrence. Hence the complaint.

3. The learned counsel for the petitioners submitted that, totally there are 4 accused persons in this case and the petitioners are arrayed as A-1 and A-3. Further, A-2 and A-4 were already arrested. Insofar as the petitioners herein are concerned, they were informed that the de-facto complainant will handover the "Iridium" to



the petitioners, since the same was not handed over to the petitioners as alleged by the case of prosecution and the petitioners pray to grant anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent-Police submits that the de-facto complainant, on receipt of Rs.2,00,000/- from the petitioners, handed over the "Iridium" to the petitioners and suddenly they threw chilly powder on the face of the de-facto complainant, and had taken away the "Iridium" and Rs.2,00,000/- from the de-facto complainant and escaped from the place of occurrence. Though A-2 and A-4 were arrested, no recovery was made from the petitioners, and hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, it is to be noted that this Court has never seen the "Iridium" so far. Therefore, the custodial interrogation of the petitioners is essential. Hence this Court, is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

09/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE
UDUMALPET POLICE STATION,
TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.VASANTHANAYAGAN Advocate on payment of necessary charges

CRL OP.12932/2022

Date :09/06/2022

CSK 20/06/2022