



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 02/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Cr1.OP(MD)No.582 of 2022

Arokiasamy

... Petitioner/Accused
(Rank Not Known)

Vs.

State, rep.By
The Inspector of Police,
Pattukkottai Police Station,
Thanjavur District.
(Crime No.1244 of 2021)

... Respondent/Complainant

For Petitioner : M/s.M.Karunanithi, Advocate

For Respondent : M/s.S.Manikandan
Government Advocate(Criminal side)

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

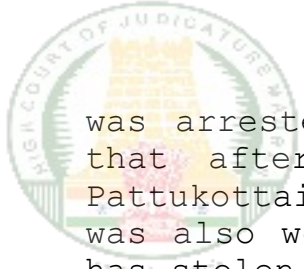
PRAYER :-

For Anticipatory Bail in Crime No.1244 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2 apprehending arrest at the hands of the respondent police for the offence punishable under section 379 IPC, in Crime No.1244 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 Assistant Executive Engineer (Construction) in Palayam region. The old iron rods were stored in the godown. On 18/12/2021, it was found that about 2-1/2 kgs length of iron rod was found missing, which is worth about Rs.75,000/-. On the basis of the complaint given by the de-facto complainant, a case has been registered under section 379 IPC against the unknown persons. During the course of investigation, A1 namely Karunanithi



was arrested on 22.12.2021 and he had given a voluntary statement that after retiring from Army, he is working as security in Pattukottai TNEB. Now one Arokiya samy, who is the petitioner herein was also working as a store keeper. He along with this petitioner, has stolen the above said iron rods. On the basis of the confession statement given by him, the stolen properties were recovered and the properties recovered also been produced before the concerned court.

3.The petitioner, being the store keeper appears to have involved in the steeling of the iron rod. Simply because of the iron rod have been recovered at the instance of AI, the contention of the petitioner that he is entitled for anticipatory bail cannot be considered. He has to take care of the property stored in the godown. But instead of, it appears that he has also stolen the same. In such circumstances, the discretionary relief of anticipatory bail cannot be extended to the petitioner.

4.Considering the nature of the offence, it is not a fittest case to grant the discretionary relief of anticipatory bail to the petitioner. Accordingly, this criminal original petition is **dismissed**.

Sd/-

02/02/2022

/ TRUE COPY /

/ /2022

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

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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,
PATTUKKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.KARUNANITHI M Advocate SR.No.706

ORDER

IN

CRL OP (MD) No.582 of 2022

Date : 02/02/2022