



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

Date : 11/03/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.4376 of 2022

Palani

... Petitioner/Accused No.7

Vs

State Rep.by
The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
(Crime No.347 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Ananda Raj.A.,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

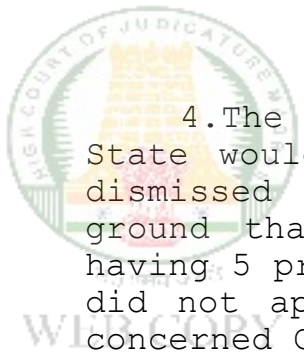
For Anticipatory Bail in Crime No.347 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.7, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC, in Crime No.347 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 02.12.2021, the petitioner and other accused said to have stolen goats worth about Rs.15,000/- from the garden of the defacto complainant. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that this is the second anticipatory bail application. Earlier application was dismissed by this Court in Crl.OP(MD)No.1139 of 2022 dated 01.02.2022. The other co-accused have already been released on bail by the District Sessions Judge, Ramanathapuram. Hence, he seeks anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.side) appearing for the State would submit that earlier anticipatory bail application was dismissed by this Court by the order dated, 01.02.2022, on the ground that the petitioner is having bad antecedents and he is having 5 previous cases. He would further submit that the petitioner did not appear either before the respondent police or before the concerned Court.

5.The contention raised by the petitioner is that the other co-accused have been released on bail by the District Sessions Judge, Ramanathapuram.

6.But, this contention is not accepted by this Court. When similar cases are pending, the petitioner is not entitled for discretionary relief of anticipatory bail. I find no merits in this petition. This Criminal Original Petition deserves dismissal and accordingly, the same is dismissed.

7.The petitioner is directed to appear before the respondent police or before the concerned Court.

sd/-
11/03/2022

/ TRUE COPY /

/ /2022
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.

TO

- 1 THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.4376 of 2022
Date :11/03/2022

RS/SBN/SAR.3(17.03.2022) 2P-3C

<https://hcservices.ecourts.gov.in/hcservices/>