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CRL OP(MD). 1



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

Date : 23/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11195 of 2022

P.Bhagavathy, ... Petitioner/Accused Rank Not Known
Vs

THE STATE REP BY,
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
Crime.No.170 of 2022. ... Respondent/Complainant

For Petitioner : Mr.K.Dinesh, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.170 of 2022 on the file of the Respondent police.

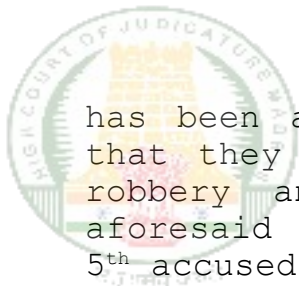
ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 397 I.P.C, in Crime No.170 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 07.06.2022 at about 01.00 am., the defacto complainant received an information to the effect that the security guard of the TASMAL shop was severely assaulted by the accused persons. It is also seen that some unidentified persons broke the door and caused severe assault to the security guard using knife and other things and stolen away more than 2500 liquor bottles worth about more than Rs.5 lakhs.

3.Based upon the complaint given by the defacto complainant, the present case has been registered and one of the accused persons

<https://www.mhc.to.gov.in/judis>



has been arrested and in the confession statement, he has admitted that they used the vehicle of this petitioner for committing the robbery and transporting the stolen articles. Based upon the aforesaid confession statement, the petitioner has been arrayed as 5th accused.

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4. The learned counsel for the petitioner submitted that without the knowledge of the petitioner, his car has been misused by the accused persons and except this overt act, no other specific allegation has been made against this petitioner and also found during the course of investigation.

5. However, severe injury has been caused to the security guard and the shop articles worth about more than Rs.5 lakhs have been stolen away. Whether this petitioner knowingly helped the other accused or not is a matter for investigation, for which custodial interrogation is required. The offence of this nature cannot be taken lightly for extending the discretionary relief of granting anticipatory bail to the petitioner. So, I find no merit in this petition and accordingly, it stands dismissed.

sd/-

23/06/2022

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/07/2022

Sub-Assistant Registrar (C.S.)
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
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11195 of 2022

Date : 23/06/2022

PKP/JM/SAR-2/08.07.2022/2P/3C