



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP (MD) . No.11228 of 2022

WEB COPY

1. Vignesh Krishnan @ Vikki KriShna
2. Sivamani
3. Kannan @ Mayakannan ... Petitioners/Accused No.1 to 3

Vs

The State rep.by
The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
Crime No.315 of 2022. ... Respondent/Complainant

Madha Ragavendiran ... Petitioner/Intervener
in CrI.MP(MD).8064/2022 in
CrI.OP(MD).11228/2022

For Petitioner : M/s.Ilayaraja R, Advocate.
For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (CrI.Side)
For Intervenor : Mr.D.Venkatesh, Advocate.

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

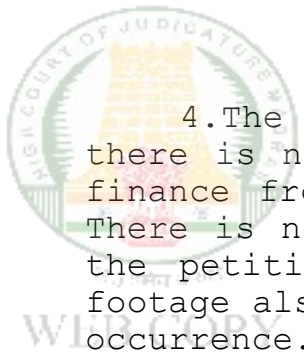
PRAYER :- For Anticipatory Bail in Crime No.315 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 447 and 379 of IPC, in Crime No.315 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the Car belongs to the defacto complainant bearing Reg.No.TN-76-AC-0076 was found missing. On verification of CCTV footage, it revealed that the petitioners herein along with other accused had taken away the Car. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the defacto complainant had purchased the above said Car by obtaining finance from the petitioners. Due to failure of repayment of the amount, he voluntarily handed over the Car to settle the dues. On instruction by the defacto complainant only, the Car was taken back by the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.



4.The learned counsel for the Intervenor would submit that there is no evidence to show that the defacto complainant obtained finance from the petitioners for the purpose of purchasing a Car. There is no need to the defacto complainant to obtain finance from the petitioner. Because, he is a reputed business man. The CCTV footage also confirmed the presence of the petitioner on the date of occurrence. Now, the Car is still in the custody of the petitioners. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl.Side) would submit that the totally 8 accused are involved in this case. The petitioners herein were arrayed as A1 to A3. He would further submit that the stolen Car was not recovered sofar, which is worth about Rs.12,20,000/- and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

6.Considering the facts and circumstances of the case and also considering the gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismisses.

sd/-

14/10/2022

/ TRUE COPY /

/10/2022

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,
TENKASI POLICE STATION, TENKASI DISTRICT.

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

+1. CC to M/S.D.Venkatesh, Advocate SR.No.11454

ORDER IN

CRL OP(MD) No.11228 of 2022

Date :14/10/2022