



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

Date : 16/09/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15887 of 2022

Vivek @ Manikandan

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
(Crime No.36 of 2022)

... Respondent/Complainant

For Petitioner : M/s. Sades Kumar.S.,
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.36 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 454, 457, 380 and 427 IPC, in Crime No.36 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused broke open the de-facto complainant's house and stolen three gold coins and other valuable documents and then, set fire to the house.

3.The earlier application filed by the petitioner was dismissed on the ground that two gold coins, which are alleged to be stolen from the house of the defacto complainant, were handed over to the petitioner and the same was not recovered sofar with a direction to surrender before the respondent police and co-operate with the enquiry to complete the investigation, it was dismissed.



4.It is now submitted that the petitioner has not appeared before the respondent police in compliance of the order dated 05.08.2022. Without complying the said order, this second application has been filed by the petitioner on the ground that since the father of the petitioner has filed W.P.(MD)No.18951 of 2015 before this Court against the respondent police, to wreck vengeance, the respondent police has roped this petitioner in this case.

5.Such a contention without complying the earlier order of this Court cannot be accepted at this stage. Since the gold coins alleged to be with this petitioner is not recovered so far and unless the petitioner is subjected to enquiry, the recovery may not be effected. This Court finds absolutely no change of circumstances. Accordingly, this Criminal Original Petition is dismissed.

sd/-
16/09/2022

/ TRUE COPY /

/09/2022

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

TO

1. THE INSPECTOR OF POLICE
KEELASEVALPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15887 of 2022
Date :16/09/2022

ta
USK/VR/SAR-II/22.09.2022/2P/3C