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

Date : 12/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.18153 of 2022

Chandru

... Petitioner/Accused No.2

Vs

State rep.by
The Inspector of Police,
Jaihindpuram Police Station,
Madurai.
(Crime No.403/2022).

... Respondent/Complainant

For Petitioner : M/s.Durai Pandian K S, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

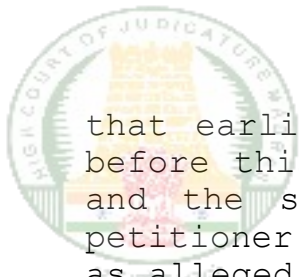
For Anticipatory Bail in Crime No.403/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 of IPC, in Crime No. 403 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 21.08.2022, the petitioner along with other accused have committed theft of two redmi mobile phones worth about Rs.14,700/- from the defacto complainant's wife. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected in the above said occurrence and also the petitioner's name is not found in FIR. He would further submit



that earlier the petitioner moved an anticipatory bail application before this Court in Crl.O.P(MD) No.16867 of 2022, dated 22.09.2022 and the same was dismissed. He would further submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Hence, he may be granted anticipatory bail.

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4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the co-accused was arrested and remanded to judicial custody and the stolen properties have not been recovered. He would further submit that this is the second anticipatory bail application and the first anticipatory bail application was dismissed by this Court on 22.09.2022 and till now, there is no change in circumstances and investigation is not yet completed and custodial interrogation of the petitioner is required in this case. Hence, he strongly opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that there is no change in facts and circumstance of the case and the stolen properties have not been recovered and the investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original petition is dismissed.

Sd/-

12/10/2022

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/10/2022

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

cp

TO

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

ORDER

IN

CRL OP(MD) No.18153 of 2022

Date :12/10/2022