



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/10/2022

PRESENT

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

CRL OP(MD) . No.17680 of 2022

S.Paramasivam

... Petitioner/Accused
(Rank Not Known)

Vs

State rep.by
The Inspector of Police,
Muthaiahpuram Police Station,
Thoothukudi District.
(Crime No.11/2022).

... Respondent/Complainant

For Petitioner : No Appearance

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C

PRAYER :-

For Bail in Crime No.11 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 18.09.2022 for the offences punishable under Sections 380, 441, 447, 511 of IPC and 21(4) of MMDR Act, in Crime No.11 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 08.01.2022, the defacto complainant, who is the Assistant Director of Mines and Minerals Department got an information from the Village Administrative Officer that some persons were tried to commit theft of garnet sand from the godown situated at Mullakad Part-II in



Survey No.651/3, which is under the custody of the complainant. Hence, a raid was made by him to the said godown and found that some persons were making an attempt to take away the garnet sand from the godown. Hence, the complaint.

3. The learned counsel for the petitioner would submit that based on the confession statement of the co-accused, the petitioner has been falsely implicated in this case and he is an innocent person and he has nothing to do with the alleged offence. He would further submit that the co-accused were already released on bail and the petitioner is in judicial custody from 18.09.2022 and therefore, the petitioner may be granted bail.

4. The learned Government Advocate(Crl.Side) submitted that the petitioner is the in-charge of the godown and he has loaded the sand bags in the vehicle. He would further submit that the investigation is still pending and the custodial interrogation of the petitioner is very much necessary in this case. Hence, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the nature and gravity of offence and also the facts that investigation is still pending and the custodial interrogation of the petitioner is very much necessary in this case as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-

11/10/2022

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/10/2022

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

cp

TO

1. THE INSPECTOR OF POLICE,
MUTHAIAHPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
2. THE OFFICER INCHARGE,
PERURUANI JAIL, TUTICORIN,
TUTICORIN DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17680 of 2022

Date :11/10/2022