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CRL OP(MD). N



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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.18297 of 2022

Mariyappan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
Crime No.335/2022.

... Respondent/Complainant

For Petitioner : M/s.Azagarsami Ak, 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.335 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 381 and 417 of IPC in Crime No.335 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that when the petitioner was working in the de-facto complainant's shop, he sold the goods to other person without the knowledge of the de-facto complainant and caused heavy loss to him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to enmity, a false was foisted against the petitioner and he is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that when the petitioner was working in the de-facto complainant's shop, he sold the goods to other person without the knowledge of the de-facto complainant and caused heavy loss to him to the tune of



Rs.2,00,000/-. The stolen property is not yet recovered. The investigation in this case is not yet completed. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the facts that the stolen property is not yet recovered and the investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

14/10/2022

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/10/2022

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

TO

1. The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.18297 of 2022

Date :14/10/2022

sj i

RS/SBN/SAR.1(19.10.2022) 2P-3C