



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2022

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.20171 of 2021

Mohamed Mathina Beevi

... Petitioner/Accused

Vs

State rep.by
The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.
(Crime No.233/2021).

... Respondent/Complainant

For Petitioner : M/s.Sathish Kumar K, Advocate.

For Respondent : M/s.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.233/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A5 apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 392 and 397 IPC, in Crime No.233 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is working as a Manager in ESSAR Petrol bunk situated at Keelakarai to Ramanathapuram, ECR road for the past three years. On 09.09.2021, when the defacto complainant along with two employees were working in the said petrol bunk, three unknown persons came in a white colour Duke Bike without registration number with sword by covering



their faces with Kurtha and cut the table. On seeing them, the de-facto complainant and other employees ran away from there with fear and, the accused persons stolen a sum of Rs.1,70,000/- and one Galaxy Tab. Thereafter, the accused persons escaped from the occurrence place. Hence, the de-facto complainant lodged a complaint.

3.The learned counsel for the petitioner submitted that the petitioner did not commit any crime as alleged by the prosecution and she has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police opposed for granting anticipatory bail that this is the second application for anticipatory bail and the earlier application filed by the petitioner was dismissed on 26.10.2021 in Crl.O.P(MD).No.15904 of 2021. He further submitted that the petitioner is the main accused, who is the wife of A1 and stolen properties are yet to be recovered.

5. It appears that this is the second application for anticipatory bail. The earlier anticipatory bail Petition filed in Crl.OP(MD)No.15904 of 2021 was dismissed as against the petitioner on 26.10.2021 on the ground that stolen properties are yet to be recovered. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

6. Since there is no change of circumstance and considering the antecedents of the petitioner, this Court is not inclined to entertain this Criminal Original Petition and the same is accordingly dismissed.

Sd/-
27/01/2022

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ssb

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.



1. THE INSPECTOR OF POLICE,
KEELAKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/S.K.SATHISH KUMAR, Advocate SR.NO.528

ORDER

IN

CRL OP (MD) No.20171 of 2021

Date :27/01/2022

SP/SBN/SAR IV/16/02/2022/3P/4C