



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

Date : 20/12/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.22441 of 2022

1. Vignesh Krishnan @ Vikki Krishna
2. Sivamani
3. Kannan @ Mayakannan ... Petitioners/Accused No.1 to 3

Vs

The State Rep. by,
The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
Crime No.315 of 2022. ... Respondent/Complainant

For Petitioner : M/s.Ilayaraja.R,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

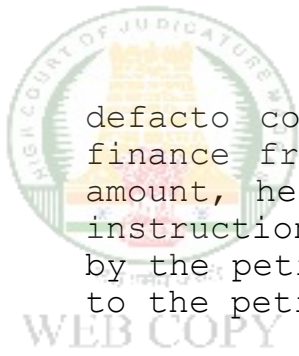
For Anticipatory Bail in Cr No.315/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 447 and 379 IPC in Crime No.315 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the Defacto Complainant is that the car belongs to the defacto complainant bearing Regn.No.TN 76 AC 0076 was found missing. On verification of CCTV footage, it came to light that the petitioners herein along with other accused had taken away the car. Hence, the complaint.

3.The learned Counsel for the Petitioners would submit that the Petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the



defacto complainant had purchased the above said Car by , ig finance from the petitioners. Due to failure of repayment of the amount, he voluntarily handed over the car to settle the dues. On instruction by the defacto complainant only, the car was taken back by the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) would submit that the petitioners have committed the theft of car belonging to the defacto complainant and the same was recorded in CCTV footage. He further submitted that the earlier petition filed by the petitioners was dismissed by this Court on 14.10.2022 in Crl.O.P(MD).No.11228 of 2022, but, the car has not been recovered so far, thereby, he opposes to grant anticipatory bail.

5. Heard the learned counsels and the materials available on record. Taking into consideration of the gravity of offence and that the car has not been recovered so far after dismissal of the earlier petition, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
20/12/2022

/ TRUE COPY /

/01/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

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

ORDER
IN
CRL OP(MD) No.22441 of 2022
Date :20/12/2022

USK/SSS/SAR-III/04.01.2023/2P/3C