



Crl.O.P.No.7980 of 2023

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WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest for the alleged offences under Section 394 of IPC in Crime No.360 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant/ Martin Raja is that on 30.12.2022, three unknown accused had trespassed into his house and by assaulting him and his family members with iron rod, had committed theft of gold jewels worth about Rs.2,25,000/-. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the name of the petitioner does not find place in the First Information Report and subsequently, he was arrested in Crime No.672 of 2021 by Hosur Town Police Station and later, he was granted bail. He would further submit that when the petitioner was in custody, the respondent Police have not taken any steps to secure him in this



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case and only after came out on bail, the name of the petitioner has been implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the petitioner is a habitual offender, against whom, there are three previous cases, out of which, two cases are similar in nature. He would further submit that the earlier case was registered by Hosur Town Police Station and the present case has been registered by HUDCO Police Station. As far as this case is concerned, the petitioner along with two other accused trespassed into the house of the defacto complainant and after causing injuries to the defacto complainant and his family members, the petitioner along with two other accused have decamped with jewels worth about Rs.2,25,000/-. He would further submit that the custody of the petitioner is very much essential for conducting identification parade and if the anticipatory bail is granted to the petitioner, there is every possibility of him threatening the witnesses also. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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5.Heard the learned counsel for the petitioner as well as the learned Government Advocate (crl.side) and perused the entire materials available on record.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel on either side and also the antecedents of the petitioner and further it is also represented by the learned Government Advocate that the custody of the petitioner is required for conducting identification parade, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

02.06.2023

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