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Crl.O.P.No.15811 of 2023

Crl.O.P.No.15811 of 2023
and Crl.M.P.No.11401 of 2023

RMT. TEEKAA RAMAN.,J.

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 of I.P.C in Crime No.96 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defact complainant is that he was carrying a company in the name and style of L&W Private Limited and doing construction work at Sipcot in Siruseri for Data Centre. On 27.03.2023, at about 4.30 p.m., the petitioner along with other accused by misusing the company's previous invoice bill No.LWC-SS-TN-058 dated 07.10.2021, had stolen the machine and iron rod and other construction materials. Hence the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that based upon the invoice alone, he has removed



Crl.O.P.No.15811 of 2023

the goods on 27.03.2023. He also submitted that A5 in this case has already been granted anticipatory bail. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned counsel for the intervenor submitted that the petitioner has produced fake invoice and manipulated the bill invoices given by the defacto complainant in an active collusion with the supervisor and security officer and from the subsequent audit, they came to know that the goods worth several lakhs have been stolen and the modest operandi adopted by the petitioner along with other accused were spoken to by one of the accused and hence, he strongly opposed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (crl.side) submitted that though the first information report was registered under 379 IPC, based upon the investigation alone whether any additional offences has to be added for fabrication or for bogus certificate has to be ascertained and he also produced one sample weight certificate, wherein, the vehicle number alone is shown and no particulars as to whether it is a four wheeler or a six wheeler. Hence,



Crl.O.P.No.15811 of 2023

he opposed for grant of anticipatory bail to the petitioner.

6.Heard the learned Counsel for the petitioner and the learned Government Advocate (crl.side) and perused the materials available on record.

7.Taking into consideration the facts and circumstances of the case and also the submissions made by the learned counsel on either side and also the nature and gravity of the offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

8.Accordingly, this Criminal Original Petition is dismissed. Consequently connected Miscellaneous Petition is closed.

08.08.2023

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Crl.O.P.No.15811 of 2023

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Crl.O.P.No.15811 of 2023

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