



WEB COPY



Crl.O.P.No.17750 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 of IPC in Crime No.265 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the owner of the Activa Scooter bearing Regn.No.TN-01-BR-3823. On 14.06.2023, his relative one Saranraj, borrowed his vehicle to bring his wife from Egmore Railway Station at about 7.00 p.m., when he reached the railway station, he felt unconscious, he left the scooter with key and it was stolen by someone. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that based on the



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confession statement made by the 1st accused, the respondent has projected the petitioner as an accused in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that there are totally two accused in this case in which, the petitioner is arrayed as 2nd accused. He would further submit that the petitioner along with other accused have stolen the Scooter belongs to the defacto complainant. After checking the CCTV footage, the accused were identified and they belong to Cheyyar. He would also submit that A1 is having a lorry service and he is the owner and A2 is the driver under the A1 and both of them came in a bike and they have taken this Scooter and the Scooter was recovered at Cheyyar. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that A1 and A2 are said to have involved in committing the theft of Scooter and they have taken the Scooter to the Cheyyar and recovered the same from the possession of A1. Further, A1



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is the owner of the lorry service and A2 is said to have worked under him.

The defacto complaint brought to the two wheeler to the Egmore Railway station and it was stolen by the accused. Based upon the CCTV footage, the investigation is on.

6. Considering the facts and circumstances and also taking into consideration the overt act against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

11.08.2023

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