



CrI.O.P.No.24457 of 2023

C.V.KARTHIKEYAN, J.

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The petitioners / A4 and A5 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 407, 420 of IPC altered to Sections 407, 420, 120(b), 381 of IPC in Crime No.113 of 2023, seek anticipatory bail.

2.It is the case of the prosecution that the Deputy General Manager of the defacto complainant company had stated that substantial scrap material worth about Rs.1,00,00,000/- had found stolen and on enquiry, it was found, with the active connivance of A1, who was working as security officer, the other accused had removed the scrap material from the premises of the defacto complainant company. So far as the present petitioners are concerned, A4 is the owner of the lorry, in which the scrap materials were transported and A5 is the driver.

3.The learned counsel for the petitioners pointed out that A1 had been granted bail and A2 and A3 had been granted anticipatory bail. But A1 had been granted bail under Section 167(2) of Cr.P.C., and



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therefore, there was no possibility of entering into any discussion on merits, while granting that particular order. There is also no recovery by the respondent, which impairs the investigation and therefore custodial interrogation is required.

4.In view of the direct overt act as against the petitioners herein and the substantial amount of scrap materials, which had been stolen, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition stands dismissed.

20.11.2023

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