



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2023

PRESENT

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

CRL.O.P(MD)No.1717 of 2023

WEB COPY

Seemaisamy

...Petitioner/ Accused No.6

-vs-

The State represented by
The Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.
(in Cr.No.1655 of 2022)

...Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No.1655 of 2022.

For Petitioner
For Respondent

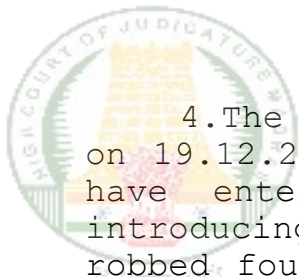
: Mr.C.Senthil Murugan
: Mr.P.Kottai Chamy
Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 448, 454 and 392 of IPC in Crime No.1655 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that on 19.12.2022, the petitioner and other accused persons alleged to have entered into the house of the de-facto complainant by introducing themselves as running an online business and robbed four sovereigns of gold chain from the de-facto complainant and escaped from the scene of occurrence. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and the petitioner was falsely implicated based on the confession of the arrested accused. He would also submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would pray for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.side) would submit at on 19.12.2022, the petitioner and other accused persons alleged to have entered into the house of the de-facto complainant by introducing themselves that they are running an online business and robbed four sovereigns of gold chain from the de-facto complainant and escaped from the scene of occurrence. He would also submit that A4 was arrested and he is still in custody and the petitioner has no previous case pending against him. Hence, he would strongly oppose to grant anticipatory bail to the petitioner.

5.Considering the facts and submissions made on either side and also considering the fact that the petitioner has one previous case under the provisions of IPC and also the fact that the co-accused has been arrested and he is still in custody, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

01/02/2023

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/02/2023

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

cmr

To

1.The Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.1717 of 2023

Date :01/02/2023

RD/VR/SAR-II(09/02/2023) 2P 3C