



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/02/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.2349 of 2023

P.Kannan

... Petitioner/

Accused Rank not known

Vs

The State rep.by,
Inspector of Police,
Vallatharakottai Police Station,
Pudukkottai District.
Crime No.74 of 2022

... Respondent/Complainant

For Petitioner : Mr.G.Mathavan
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For anticipatory bail in Crime No.74 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 457 and 395 IPC @ Sections 120(b), 457 and 395 of I.P.C., in Crime No.74 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 29.07.2022, some unknown persons went to the de-facto complainant's house, snatched her gold jewels and money from her family members by showing knife. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and a false case has been foisted against him. Hence, he would seek for anticipatory bail.



4.The learned Government Advocate (Crl. side) would submit that it is a case of a grave nature, the accused, by breaking the door at midnight 2'o clock, entered into the house of the de-facto complainant and after threatening the inmates of the house, they have committed theft of gold jewels worth about Rs.1,91,250/-, two cellphones worth of Rs.7,500/- and Rs.80,000/- cash. He would further submit that the main accused have been arrested and based on the confession of the arrested accused, the petitioner has been arrayed as A10 in this case. The petitioner is the person, who has stood outside the house and he had watched over the movements of the other persons. He would further submit that the petitioner has also received his share in the booty along with the other accused. He would further submit that the petitioner has got two previous cases, which were already disposed of. Hence, he vehemently opposed to grant anticipatory bail.

5.Heard. Perused the materials available on record including the First Information Report.

6.Considering the facts and circumstances of the case and also considering the fact that the allegations against the petitioner are very serious in nature, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
10/02/2023

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/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

sjj

TO

- 1.THE INSPECTOR OF POLICE,
VALLATHARAKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2349 of 2023
Date :10/02/2023