



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Fourteenth day of February Two Thousand and Twenty
Three

WEB COPY

PRESENT

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

CRL.O.P(MD)No.2394 of 2023

M.Robert

...Petitioner/Accused Rank No.1

-vs-

The State represented by,
The Inspector of Police,
Budalur Police Station,
Thanjavur District.
(in Cr.No.17 of 2023)

...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.17 of 2023.

For Petitioner
For Respondent

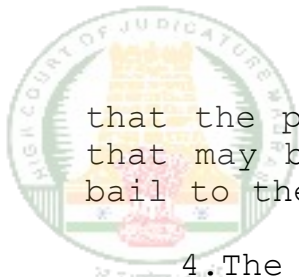
: Mr.R.L.Dhilipan Pandian
: Mr.P.Kottai Chamy
Government Advocate (Crl.side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 379 of IPC in Crime No.17 of 2023 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 08.01.2023, the accused persons have indulged in theft of goats belonging to the de-facto complainant, when they were grazing and hence, the case.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and the petitioner has been falsely implicated in this case 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 also submit



that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would seek for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the petitioner and other accused were involved in theft of goats belonging to the de-facto complainant. He would also submit that the petitioner is a habitual offender and against whom, five previous cases pending and hence, he would strongly oppose to grant anticipatory bail to the petitioner.

5.Taking into consideration the habituality of the petitioner in committing the crime and also the fact that the petitioner has five previous cases pending against him, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
14/02/2023

/ TRUE COPY /

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

CMR

TO

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

ORDER
IN
CRL OP (MD) No.2394 of 2023
Date :14/02/2023

NA/BUC/SAR-I/21.02.2023/2P/3C