



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

Date : 08/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.3646 of 2023

1. Kannan
2. Rajalakshmi
3. Kalimuthu
4. Vijayalakshmi ... Petitioners/Accused Nos.1 to 4

Vs

The State rep by
The Inspector of Police,
Sambavar Vadakarai Police Station,
Tenkasi District.
(Crime No.196 of 2019.) ... Respondent/Complainant

For Petitioner : M/s.Mathavaselvam, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

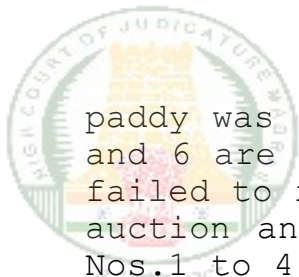
PRAYER :-

For Anticipatory Bail in Crime No.196 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/accused Nos.1 to 4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379, 420, 427, 406, 294(b) and 506(ii) of I.P.C., @ 379, 427, 294(b) and 506(ii) of I.P.C in Crime No.196 of 2019 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the petitioners pledged 9117 paddy bags in IDBI Tenkasi Branch and got a loan to the tune of Rs.1.5 crore. As per the agreement between the first accused and NCML Company, the above



paddy was kept in the godown of the first accused and accused Nos. 5 and 6 are the Watchman of the said godown. Since Accused Nos. 1 to 4 failed to repay the said loan, the Bank decided to sell the paddy by auction and on 12.11.2018, when they inspected the godown, accused Nos. 1 to 4 prevented them and threatened them with dire consequences and locked the godown with another lock. On enquiry, it was found that 6500 bags of paddy were stolen by accused Nos. 1 to 4. Hence, the complaint.

3. Heard the learned counsel appearing on either side and perused the materials available on record, including the First Information Report.

4. It is seen that the petitioners mortgaged 9117 paddy bags with the Bank and borrowed loans to the tune of Rs. 1.5 crores and thereafter, all the accused conspired together and had stolen 6500 bags of paddy. Further, they also defaulted on repayment of the loan amount. Hence, the petitioners committed very serious offence and the custodial interrogation of the petitioners is very much required. Accordingly, this Criminal Original Petition is dismissed.

sd/-

08/03/2023

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

PS

To

1. The Inspector of Police,
Sambavar Vadakarai Police,
Tenkasi District.

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

ORDER

IN

CRL OP(MD) No. 3646 of 2023

Date : 08/03/2023

ED/MMS/SAR-2 (16/03/2023) 2P 3C