



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2023

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9044 of 2023

1.Sivakumar

2.Illayaraja

: Petitioners/ A2 & A3

Vs.

State rep., by
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
Crime No.245 of 2023.

: Respondent/Complainant

For Petitioners : Mr.D.Ramesh Kumar,
Advocate

For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.side)

For Intervenor : Mr.R.Venkatesan,
Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.245 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 407, 413, 120B and 506(ii) IPC, in Crime No.245 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused, who is working in the defacto complainant's shop as staff incharge, said to have stolen some home appliances from the godown and sold the same to the petitioners and other accused, when the same was questioned by the defacto complainant, the accused persons abused the defacto complainant and also threatened him with dire consequences. Hence, the complaint.



3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) appearing for the State would submit that totally five accused were involved in this case; A1 was already arrested and remanded to judicial custody and other two accused were absconding. He would further submit that sofar no recovery and that the investigation is in progress.

5. Considering the seriousness and gravity of the offence alleged by the prosecution and also the facts that the proper has not been recovered and that the investigation is in initial stage, this Court is not inclined to grant anticipatory bail to the petitioners at this point of time.

6. In the result, the Criminal Original Petition is dismissed.

sd/-

18/05/2023

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/05/2023

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

das

TO

1 THE INSPECTOR OF POLICE
KUMBAKONAM WEST POLICE STATION, THANJAVUR DISTRICT

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO Mr.V.BALAMURUGAN, ADVOCATE IN SR No.7517 DT 18/05/2023

ORDER

IN

CRL OP(MD) No.9044 of 2023

Date :18/05/2023

SS/ /SAR /24/05/2023/2P/4C