



CRL OP(MD). No.12525 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12525 of 2023

Sivakumar

... Petitioner/2nd Accused

Vs

The State, through
The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
(Crime No.245 of 2023).

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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



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ORDER : The Court made the following order :-

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The petitioner/2nd accused, 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 petitioner 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. This is the fifth application for anticipatory bail and the earlier applications for anticipatory bail were dismissed by this Court after considering the facts. This petition has been filed on the ground that during the course of investigation, the properties were handed over to the brother-in-law of the petitioner. According to the learned counsel for the petitioner, no more property is available with him.



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4. The Investigation Officer is present before this Court and stated that the petitioner was operating the Whatsapp group as Admin and only through that group, the properties were sold to some other persons. Only portion of the property has been handed over to the brother-in-law of the petitioner and remaining articles are not yet recovered. Unless this petitioner is arrested and custodial interrogation is made, remaining property cannot be recovered.

5. Considering the above said facts and considering that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. The petitioner has to surrender before the respondent Police and co-operate to complete the investigation process.

6. In view of the same, this petition stands dismissed.

sd/-
24/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
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- 1.The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.
- 2 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.12525 of 2023
Date :24/07/2023

RK /DD(14/08/2023) 4P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023