



CRL OP(MD). No.13659 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13659 of 2023

1.Ibrahim @ Mohammed Ibrahim

2. Azar @ Azarudeen

... Petitioners/ Accused Nos.1 & 2

Vs

The State, through
The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
(Crime No.33 of 2023).

... Respondent/Complainant

For Petitioner : Mr.B.M.Subash
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.33 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 petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 420 and 379 of IPC in Crime No.33 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running four wheeler consultancy business. On 14.12.2022, the petitioners came along with two persons approached the defacto complainant and said that they have to sell Innova car bearing Registration No.TN 07 CD 6271 and handed over the xerox copy of the documents and assured to give the original documents of the car and received a sum of Rs.6,00,000/- from the defacto complainant. It is the allegation that the said car was missing. Hence, the defacto complaint lodged a complaint alleging that the petitioners deliberately took his car.

3. The earlier anticipatory bail application was dismissed by this Court, by the order dated 30.03.2023 on the ground that the investigation is at preliminary stage, recovery has not been effected and the petitioners are having previous cases in similar nature.



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4. The learned counsel for the petitioner would submit that now the present petition has been filed on the ground that the recovery has been effected and the property is handed over to the true owner.

5. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioners are having four previous cases in similar nature and no such recovery has been made so far.

6. Considering the facts and circumstances of the case, considering that the petitioners are also having four previous cases all are similar in nature and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, the Criminal Original Petition is dismissed.

sd/-
26/07/2023

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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,
THIRUVERUMBUR POLICE STATION,
TRICHY DISTRICT.

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

ORDER
IN
CRL OP(MD) No.13659 of 2023
Date :26/07/2023

RK/VR (08/08/2023) 4P / 3C

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