



CRL OP(MD). No.14963 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14963 of 2023

Madasamy

... Petitioner/ Accused No.1

Vs

The State, through
The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.40 of 2023).

... Respondent/Complainant

For Petitioner : M/S.M.Visalakshi, Advocate.

For Respondent : Mr.R.Suresh Kumar,

Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.40 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 380 IPC (NP) in

Crime No.40 of 2023 on the file of the respondent Police, seeks anticipatory bail.



CRL OP(MD). No.14963 of 2023

WEB COPY

2. The case of the prosecution as per the defacto complainant version is that on 31.12.2022 one Esakkimuthu, who is cousin uncle of the defacto complainant informed him over phone that the lock of defaco complainant's house was broke open and the house is in damaged condition. After that the defacto complainat visited his house and found that some of the articles stolen. Suspecting involvement of this petitioner and others, he lodged a complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and is falsely implicated in this case. After 21 days of above said occurrence, the present First Information Report has been registered. On suspicion only, the petitioner's name is mentioned in the First Information Report.

4. The learned Additional Public Prosecutor would submit that the second accused has been arrested and remanded to custody. Based upon his confession statement only, involvement of this petitioner is came to be light and some of the articles have been recovered. Other articles mentioned in the First Information Report are not recovered so far. Further, this petitioner is having two previous cases, which are similar in nature.

5. The learned counsel for the petitioner would further submit that in the above said two previous cases, the petitioner was released on bail by the concerned trial Court.



CRL OP(MD). No.14963 of 2023

6. Considering the facts and circumstances of this case, some more articles remains to be recovered and also considering the bad antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this anticipatory bail petition deserves dismissal and accordingly dismissed.

sd/-
17/08/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

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

ORDER
IN
CRL OP(MD) No.14963 of 2023
Date :17/08/2023

PKP/VRS/SAR- /07.09.2023/ 3P/3C

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

<https://www.judic.tn.gov.in/judis>