



CRL OP(MD). No.18863 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.18863 of 2023

J Vadivel,

... Petitioner/ Accused Rank
Not known

Vs

State rep. by
The Inspector of Police,
F-1, High Court Police, Station,
Madurai City, Madurai.
(Crime No.1/2023).

... Respondent/ Complainant

For Petitioner : Mr.V.Ramamurthy
for Mr. A. Balakrishnan,
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.1/2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 380 of IPC in Crime No.1 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 10.07.2023 the case bundles in criminal original petition were found missing in the AE seat criminal passing which were to be listed on 19.07.2023 and on searching the case bundles they could not be traced. Thereafter on seeing the CCTV footage in CISF Cabn it was viewed that on 19.07.2023 it was found that one person took away the said case bundles from AE seat and that person was later identified as S.Balamurauga, Advocate Clerk, hence the case came to be registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner has no role in the alleged occurrence and the petitioner was neither engaged nor instructed to deal with the petitions. He would further submit that the petitioner is working as an advocate clerk for the past 23 years and



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he never faced any such allegation. Hence he seeks anticipatory to the petitioner.

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4.The learned Government Advocate(Crl.Side) appearing for the respondent objected to grant anticipatory bail to the petitioner the petitioner herein has stolen the court records and he is granted anticipatory bail he will again indulge in similar type of offences again.

5.In pursuance to the complaint given by Section Officer, Criminal Section of Madurai Bench of Madras High Court a case has been registered in Crime No.1 of 2023 for the offence under Section 380 of IPC as against Balamurugan, Advocate Clerk. During investigation the respondent police arrested one Prithivaj and obtained confession statement of that accused and also arrested one Balamurugan and obtained confession statement of the said Balamurugan. In the confession statement the accused implicated this petitioner also involved in the crime of taking records from this Court. Further investigation is still pending and hence custodial interrogation of the petitioner is very much required in this case, hence this Court is not inclined to grant anticipatory bail to the petitioner.



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6. Hence the petition stands dismissed.

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

AAV

TO

1. The Inspector of Police,
F-1, High Court Police, Station,
Madurai City, Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.18863 of 2023

Date :19/10/2023

SSA/DD/25.10.2023/4P/3C

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