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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/01/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.23037 of 2022

Santhoshkumar,

... Petitioner/Unknown Accused

Vs

State Rep by
The Inspector of Police,
Kallakudi Police Station,
Trichy District.
Crime No.136 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Manimaran P,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.136 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offence under Sections 457 and 380 IPC in Crime No.136 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant and her mother are running a hotel in front of their house and on 21.09.2022, at about 05.30 a.m., the bureau in the hotel was broke open and 1 gram rings 7 numbers, silver waist rope 2 numbers, silver kolusu one pair, silver chain 1, silver ring 1 and cash of Rs.75,000/- and total worth about Rs.90,000/- were found missing.

https://www.mca.gov.in/case.



3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and hence, he seeks for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that it is a case of theft and the petitioner and other accused had taken away the gold jewels and silver articles from the hotel belongs to the de-facto complainant. He would further submit that the petitioner has also got three previous cases of similar in nature and the investigation is still pending and hence, he would oppose for grant of anticipatory bail.

5.Considering the gravity and nature of the offence and also the considering the facts that three previous cases are pending against the petitioner and the investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petitions is dismissed.

sd/-
04/01/2023

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/01/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1. The Inspector of Police,
Kallakudi Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.23037 of 2022
Date : 04/01/2023

TR/BUC/SAR III(10.01.2023) 2P 3C