



CRL OP(MD). No.20774 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.20774 of 2023

P.Saravana Pandi

... Petitioner/ Accused 2

Vs

The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
Crime No.245/2023.

... Respondent/Complainant

For Petitioner : Mr.S.ATHAM ALI
Advocate.

For Respondent : Mr.RMS.SETHURAMAN,
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.245/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A2 who apprehends arrest at the hands of the respondent police for the offences punishable under sections 457, 380 and 381 of 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 defacto complainant is running



CRL OP(MD). No.20774 of 2023

WEB COPY

furniture business. On 16.05.2023 around 10.00 a.m he put Rs.5,00,000/- cash in a trolley bag in the locker of the open bed of the 2nd floor of his house and kept it on the bed. Thereafter, on 13.06.2023 around 03.00 a.m, he found that the said bag was missed. While the defacto complainant enquired the same with his family member, he got suspicious that his employer entered into his bedroom and stole the case of Rs.5,00,000/- Hence, he gave a complaint.

3.The learned counsel appearing for the petitioner would contend that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that based on the confession of A1, the petitioner has been implicated in this case. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that during the course of investigation, it was revealed that the petitioner/A2 and A1 were involved in this said occurrence. Rs.2,00,000/- has been recovered. He would further submit that the first accused arrested and remanded to judicial custody. Based on the confession of A1, this petitioner has been implicated in this case. Further, in this case, investigation is not completed. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Heard both sides and perused the materials available on record.



CRL OP(MD). No.20774 of 2023

6. A perusal of the confession of A1, it is noticed that the petitioner/ A2 has been involved in this case. Further, in this case investigation is pending and part of the amount is not recovered. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Therefore, this Criminal Original Petition is dismissed.

sd/-
20/11/2023

/ TRUE COPY /

/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN
TO
1 THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER
IN
CRL OP(MD) No.20774 of 2023
Date :20/11/2023

SA/SKN/SAR. /07.12.2023/3P/3C

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