



Crl.O.P.No.644 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who was arrested and remanded to judicial custody on 10.11.2023, for the offences punishable under Sections 457, 380 of IPC @ 457, 380, 436, 212 of IPC and Section 4 of TNPPDL Act @ 109, 120(B), 212, 380, 414, 436, 457 of IPC and Section 4 of TNPPDL Act in Crime No.47 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant, Shri.G.Siddique, is that he was working as a Channel Manager cum Authority Officer of Hitachi Payment Services Private Limited and that his agency is in charge of ATMs belonging to the State Bank of India. On 12.02.2023, some unknown persons broke up the SBI ATM situated at Anna Nagar, Kalasapakkam, and robbed Rs.2,20,400/-. Thereby, he lodged a complaint before the respondent police, based on which, a case came to be registered by the respondent police in Crime No.47 of 2023 for the offence under Sections 457 and 380 of IPC. During the course of the investigation, finger prints were collected from the scene of occurrence and later, the case was altered to the offence under Sections 457, 380, 436, 212 of IPC and Section 4 of TNPPDL Act @ under Section 109, 120(B), 212, 380, 414, 436, 457 of IPC and



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Section 4 of TNPPDL Act. Hence the present petition has been filed.

3. Learned Counsel appearing for the petitioner submitted that the petitioner (A10) is an innocent person, and he has been falsely implicated in this case based on the confession of the other accused. He further submitted that the petitioner was earlier arrested in Crime Nos.31 and 32 of 2023 registered by the Tiruvannamalai Town Police Station, Tiruvannamalai. He also submitted that the petitioner was arrested on 20.10.2023 and later, based on his confession, he was formally arrested in the present case on 10.11.2023, and that some of the co-accused have been granted bail. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner, who is a native of Haryana, along with other accused, committed theft, caused damage to the ATM centres, broke up the SBI ATM situated at Anna Nagar, Kalasapakkam, and robbed Rs.2,20,400/-. He further submitted that, based on the finger prints lifted at the ATM centre, the accused were caught and they were arrested.



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The petitioner was earlier arrested in Crime Nos.31 and 32 of 2023, registered by the Tiruvannamalai Town Police Station, Tiruvannamalai, During the course of investigation, the petitioner was arrested on 10.11.2023. He further submitted that, apart from this case, the petitioner has involved himself in 14 other cases of similar nature which have been registered in the states of Andhra Pradesh and Karnataka, and the respondent is yet to get information relating to other offences from the National Crime Records Bureau. He further submitted that the investigation is still pending and the final report has not been filed. If bail is granted to the petitioner, there is every possibility of the petitioner escaping from the clutches of law. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. It is brought to the notice of this Court by the learned Government Advocate (Crl.Side) that the following previous cases are pending against the petitioner:-



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S.No.	Police Station, Cr.No., U/S.,	Stage of the Case
1.	Polur PS., (TN) Cr.No.57 of 2023, U/s.457, 380 IPC	Under Investigation
2.	Nagalapuram PS., (AP) Cr.No.61 of 2023, U/s.457, 380 IPC r/w 511 IPC	
3.	Tumkur PS, (KA) Cr.No.52 of 2021, U/s.380 IPC	
4.	Bengaluru PS.,(KA) Cr.No.211 of 2023, U/s.379 IPC	
5.	Chinthamani PS., (KA) Cr.No.127 of 2023 U/s.457, 380 IPC	
6.	Chinthamani PS., (KA) Cr.No.128 of 2023 U/s.457, 380 IPC	
7.	Chikkamagaluru PS., (KA) Cr.No.146 of 2023 U/s.457, 380 IPC	
8.	Madapuram PS., (KA) Cr.No.122 of 2023 U/s.379 IPC	
9.	Madapuram PS., (KA) Cr.No.123 of 2023 U/s.457, 380 IPC	
10.	Madapuram PS., (KA) Cr.No.124 of 2023 U/s.457, 380 IPC	
11.	Bondapalli PS., (KA) Cr.No.180 of 2023 U/s.457, 380 IPC	
12.	Thiruvallur Town PS (TN) Cr.No.624 of 2023 U/s.379 IPC	
13.	Tirupathi Rural PS., (AP) Cr.No.309 of 2023 U/s.457, 380, 282 IPC r/w 120(b) IPC Sec 20(b)(II)(B), 25 r/w 8(c) of the NDPS Act 1985 Sec 24A, 24B, 25(1A), 1(AAA) Indian Arms Acts 1959	
14.	Tiruvannamalai Town Crime PS., (TN) Cr.No.32 of 2023 U/s.457, 380 IpC @	Charge sheet yet to be filed



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S.No.	Police Station, Cr.No., U/S.,	Stage of the Case
	U/s.457, 380, 436 IPC and 4 of TNPPDL Act 1984 @ U/s.109, 120(B), 457, 380, 436, 212, 414 IPC and 4 of TNPPDL Act 1984	

7. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side, and also considering the fact that the petitioner is stated to have been involved in several cases of serious nature and that investigation is pending in this case. This Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition is **dismissed**.

23.01.2024

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A.D.JAGADISH CHANDIRA, J.

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