



Crl.O.P.No.28816 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/accused seeks anticipatory bail in Crime No.135 of 2023 registered by the respondent police for the offences punishable under Section 399 of IPC.

2. Learned counsel for the petitioner first pointed out the statement in the first information report that what the accused possessed was only chilli powder, monkey cap and sticker tape and rope and some small clothes. But, further reading of the FIR shows that all the accused also had a knife and iron rod. They were trying to prepare to commit dacoity to break open ATM. Learned counsel further pointed out that no recovery has been made as against the petitioner herein. But possession by one is possession of the other. There is also two previous case of similar nature against the petitioner.

3. Taking all those factors into consideration, I am not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the Criminal Original Petition seeking anticipatory bail stands dismissed.

Vv

19.02.2024

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