



CRL OP(MD). No.6142 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6142 of 2024

Nagarajan

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Thakkalai Police Station,
Kanyakumari District.
Cr.No.202/2024.

... Respondent/ Complainant

For Petitioner : M/s.Ramya D, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

For Intervenor : Mr.R.Sreenivasan, Advocate
For Mr.B.Jai Ganesh, Advocate

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

PRAYER :- For Anticipatory Bail in Crime No. 202/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in



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connection with a case in Crime No.202 of 2024, for the offence punishable under Sections 409 and 420 IPC, has filed this petition seeking anticipatory bail.

2.The case of the prosecution is that the accused have promised the defacto complainant that in exchange of old gold jewelry, they will give new gold jewelry with 916 hallmark. On believing the same, the defacto complainant has handed over 85.150 grams of old gold jewelry. However, they have neither returned the old jewelry nor offered the new jewelry. Hence the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that earlier the petitioner has filed a petition in Crl.O.P(MD)No.5142 of 2024, seeking the very same relief and the same was dismissed by this Court. Again, this application has been filed. Earlier this Court, by order dated 05.06.2024, has granted interim anticipatory bail to the petitioner and directed him to co-operate for the investigation. During the interim anticipatory bail period, despite the instructions given by the respondent police, the petitioner has neither appeared before them nor co-operated with the investigation officer. The petitioner along with the other accused went to the jewelry shop and erased the contact numbers displayed in the



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board and also tried to destroy the available evidence.

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5. Considering the allegations made by the learned Government Advocate (Crl.Side) as against the petitioner and also considering the conduct of the petitioner, this Court is not inclined to grant any relief to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
13/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO
1 THE INSPECTOR OF POLICE,
THAKKALAI POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.B.JAI GANESH, Advocate (SR-6491[I] dated 13/06/2024)

ORDER IN
CRL OP(MD) No.6142 of 2024
Date :13/06/2024

SA/VR/SAR. /26.06.2024/3P/4C

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