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CRL OP NO. 32290 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-01-2025

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH
CHANDIRA**

CRL OP NO. 32290 of 2024

Mohan @ Kallapadi Mohan,
S/o. Anandhan,
No.2/12, K. Valasi, Main Road,
Kallapadi Village,
Gudiyatham Taluk, Vellore District.

Petitioner(s)

Vs

State rep by the Inspector of police,
Ambalur Police Station,
Ambalur, Tirupathur district.
(Crime No.299 of 2024)

Respondent(s)

For Petitioner(s):

Mr. G. Vinodh Kumar, Mr. S.Suresh,
Mr. N.MD.Imran Khan, Mr. A.P. Ashok Prabhar Raja

For Respondent(s):

Mr. S. Santhosh, Government Advocate (Crl.side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police
for the offences punishable under Sections 304(2) alter to 310(2) of the
Bharatiya Nyaya Sanhita, (BNS), 2023, in Crime No.299 of 2024, on the



file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner, along with 8 other accused have snatched a gold chain and an Oppo F21 Pro Phone from the de-facto complainant. Hence the complaint.

3. Learned Counsel for the petitioner submitted that the petitioner is an innocent person, who has been falsely implicated in this case. He further submitted that the petitioner is arrayed as A6, has a co-accused/A9, who has already been granted anticipatory bail. He further submitted that the petitioner is willing to abide by any condition that may be imposed by this Court, and therefore, he prays for the grant of anticipatory bail.

4. In contrast, the learned Government Advocate (CrI.Side) appearing for the respondent police opposed for grant of bail to the petitioner stating that it is a case where the petitioner, along with 8 other accused have allegedly snatched a gold chain and an expensive mobile phone from the de-facto complainant. He also submitted that the accused are habitual offenders, who

have indulged in theft of movable properties from public, causing them loss,



and that there are several previous cases of a similar in nature pending against them. Specifically, 21 previous cases are pending against the petitioner. Furthermore, he submitted that the petitioner had previously applied for anticipatory bail in CrI.O.P.No.27594 of 2024 before this Court, which was dismissed on 04.11.2024 due to the petitioner's previous cases. Therefore, if the petitioner is granted anticipatory bail, there is a possibility that he will commit a similar offence in the future.

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. This is the second application for anticipatory bail. Taking into consideration the facts and circumstances of the case, as well as bad antecedents of the petitioner, and having 21 previous cases of a similar nature, this Court finds no change in circumstances that would warrant granting anticipatory bail to the petitioner. Therefore, this Court is not

inclined to grant anticipatory bail to the petitioner.



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7. Accordingly, the Criminal Original Petition stands dismissed.

02-01-2025

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To

State rep by the Inspector of police,
Ambalur Police Station,
Ambalur, Tirupathur district.
(Crime No.299 of 2024)



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A.D. JAGADISH CHANDIRA, J.

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CRL.OP. No.32290 of 2024

02-01-2025