



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.23841 of 2021

Govindan @ Srinivasan

... Petitioner

Vs.

State Rep by,
The Inspector of Police,
J-9, Thoraipakkam Police Station,
Chennai
(Crime No.767 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Cr.No.767 of 2021 on the file of the respondent.

For Petitioner : Mr.P.Kamal

For Respondent : Mr.N.S.Suganthan
Govt. Advocate (Crl.Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 10.11.2021 for the offences under Sections 380 of I.P.C, in Crime No.767 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner committed a theft of six laptops. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution . He would further submit that the petitioner has no previous case against him and he is prepared to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. On the side of the prosecution, the learned Government Advocate (Criminal Side) raised objections stating that the petitioner committed a theft of 6 laptops. He further submits that investigation completed and the charge sheet has been filed. He further submits that the stolen property was recovered.



5. Considering the fact that the stolen property has been recovered, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Learned Judicial Magistrate-II, Alandur, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on every Saturday at 10.30.am., until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
09/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
NO.II, ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, THIRUTHANI.

4 THE INSPECTOR OF POLICE
J-9, THORAIPAKKAM POLICE STATION,
CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.KAMAL Advocate on payment of necessary charges
SR.NO.14376

CRL OP.23841/2021

Date :09/12/2021

RW 09/12/2021