



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.12293 of 2022

1 K.PARASURAMAN
2 B.SIVAKUMAR

[PETITIONERS/ ACCUSED]

Vs

STATE BY
THE INSPECTOR OF POLICE,
ORAGADAM POLICE STATION,
KANCHEEPURAM.
(CRIME NO.164 OF 2022)

[RESPONDENT]

For Petitioner : M/S.K.POONGKUNDRAN Advocate

For Respondent : MR.E.RAJ THILAK Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 12.04.2022 for the alleged offences under Sections 120B, 407, 420, 465, 468, 471, 381, IPC in Crime No.164 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that some of the employees of the Company colluded with one Venkatesan and Kumaresan, had stolen 105 tons of Iron rods in three trailer lorries. There are totally 12 accused persons in this case and the petitioners have been arrayed as A5 and A6.

3. Heard Mr.K.Poongkundran, learned counsel for the petitioners and Mr.E.Raj Thilak, learned Additional Public Prosecutor for the respondent.



4. The petitioners were working as lorry drivers in the Company and the entire stolen properties have been recovered from the accused persons. There are no previous cases against the petitioners and already, one of the co-accused, viz. A10 was granted anticipatory bail by this Court. The petitioners have already suffered incarceration for nearly 41 days.

5. In view of the above, this Court is inclined to enlarge the petitioners on bail subject to imposing conditions.

6. Accordingly, the petitioners are ordered to be released on bail on 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, Sriperumbudur, and on further conditions 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 petitioners shall report before the respondent Police daily at 10.30 am, until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]; and

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

23/05/2022

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.



1 THE JUDICIAL MAGISTRATE,
SRIPERUMBUDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ORAGADAM POLICE STATION,
KANCHEEPURAM.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.K.POONGKUNDRAN Advocate on payment of necessary
charges SR.No.7791

CRL OP.12293/2022

Date :23/05/2022

CSK 24/05/2022