



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12421 of 2022

1 C.DELLIDURAI @ DELLI [PETITIONERS / ACCUSED]
2 S.SIVAGANESH
3 D.BASKARAN

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
MANALI NEW TOWN POLICE STATION,
CHENNAI-600 068.
CRIME NO.143 OF 2022.

For Petitioner : M/S.M.MOHAMED RIYAZ Advocate

For Respondent : MR.A.DAMODARAN, 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 13.05.2022 for the alleged offences under Sections 364(A), 506(i) IPC in Crime No.143 of 2022 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioners submitted that the petitioners are the employees of the Ray Mix Concretes India Pvt. Limited Company, who are engaged in supplying ready mix concrete. In the course of the business, they have also employed agents. The de facto complainant's son Vinoth is also an agent and through him, the business of around Rs.25,00,000/- have been made. The said Vinoth had collected money from the purchasers and thereafter, not paid the sum to the above said company. Hence, the petitioners questioned the said Vinoth for money, who had accompanied them to collect the money and hand over. In the meanwhile, the defacto complainant, who is the mother of the Vinoth, lodged a complaint as though he has been kidnapped by the petitioners.



3. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioners went to the house of the Vinoth for collection of dues and Vinoth had accompanied them. In the meanwhile, the complaint has been lodged. He further submitted that during the investigation, they came to know that the de facto complainant and Vinoth had cheated several other persons to the huge sum in supply of ready mix concrete.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners subject to following conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Ponneri 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 daily for a period of two weeks and thereafter as and when required for interrogation.

[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 vs. State of Kerala [(2005)AIR SCW 5560]**.

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

-sd/-

25/05/2022

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,
NO.II, PONNERI, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MANALI NEW TOWN POLICE STATION,
CHENNAI-600 068.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S.M.MOHAMED RIYAZ Advocate on payment of necessary
charges SR.NO.7832

CRL OP.12421/2022

Date :25/05/2022

TA-25/05/2022