



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.OP.No.14582 of 2022

Thenmozhi

..Petitioner

Vs.

State of Tamilnadu,
Represented by:
The Inspector of Police,
K-5, Peravallur Police Station,
Chennai 600 082
crime No.273 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.273 of 2022 on the file of the respondent police.

For Petitioner : Mr.B.Kalaiarasan

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.03.2022 for the offence punishable under Section 381 of IPC, 1860 (as amended) in crime No.273 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner, who is working as servant maid in the defacto complainant's house had stolen gold articles i.e. 8 gm gold coin, a fish dollar, a diamond ring. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the property has been recovered by the respondent police. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner, who was working as servant maid in the defacto complainant's house, had stolen some gold articles, wherein so far the diamond ring only has not been recovered. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner. 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 blood related sureties, each for a like sum to the satisfaction of the learned V Metropolitan Magistrate at Egmore, Chennai 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 petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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].

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

-sd/-

24/06/2022

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 V METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
K5, PERAVALLUR POLICE STATION,
CHENNAI-600 082.

4 THE SUPERINTENDENT,
CENTRAL PUZZHAL JAIL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.B.KALAIARASAN Advocate on payment of necessary
charges SR.No.9886

CRL OP.14582/2022

Date :24/06/2022

CSK 24/06/2022