



WEB COPY



CrI.OP.No.19377 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2022

CORAM

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

CrI.OP.No.19377 of 2022

1. Ramesh
2. Mohanavel

...Petitioners

Vs.

State represented by
The Inspector of Police,
M-6, Manali Police Station,
Manali, Chennai.
(Crime No.307 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in Crime No.307 of 2022 on the
file of the respondent police.

For Petitioners
For Respondent

:Mrs. M.Prema Sudha
:Mr.A.Gopinath
Govt Advocate (CrI. Side)



WEB COPY



CrI.OP.No.19377 of 2022

ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.07.2022 for the offences punishable under Sections 380 of IPC in crime No.307 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that, the petitioners committed theft of one bundle copper wire worth about Rs.1,50,00/- in a lorry and the petitioners were driver and cleaner of the lorry. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and he has been falsely implicated in this case. Hence, he seeks for bail to the petitioners.

4. The learned Government Advocate (CrI.Side) submitted that, stolen property has been recovered from the petitioners. However, he opposed for grant of bail to the petitioners.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of their



CrI.OP.No.19377 of 2022

arrest i.e., 23.07.2022, this Court is inclined to grant bail to the petitioners.

WEB COPY

6. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate at Thiruvottiur** 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 twice daily at 10.30 a.m. and 5.30 p.m., for a period of four weeks and thereafter as and when required for interrogation.

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

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned



CrI.OP.No.19377 of 2022

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 abscond, a fresh FIR can be registered under Section 229A IPC.

16.08.2022

Sma



CrI.OP.No.19377 of 2022

WEB COPY

To

1. Judicial Magistrate,
Thiruvottiyur.
2. The Inspector of Police,
M-6, Manali Police Station,
Manali, Chennai.
3. Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.19377 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.19377 of 2022

16.08.2022