



Crl.O.P.No.22673 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.22673 of 2022

Ramakrishnan

... Petitioner

Vs.

The State represented by,
The Sub-Inspector of Police,
Portonovo Police Station,
Cuddalore.

(Crime No.476/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in connection
with the Crime No.476 of 2022 on the file of the respondent Police.

For Petitioner : Mr.G.Pugazhenth

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



WEB COPY



CrI.O.P.No.22673 of 2022

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.09.2022 for the offences punishable under Sections 411, 413 & 414 IPC in Crime No.476 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner had committed theft of one ton of steel and 35 kilograms of copper from the closed NOCL Company, Periyakuppam. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a scrap dealer and he has nothing to do with the alleged offence. He would further submit that the petitioner is an innocent person and he has been wrongly implicated in this case and he has been in custody from 01.09.2022. He would also submit that the petitioner is prepared to comply with any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.



Crl.O.P.No.22673 of 2022

WEB COPY

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has committed theft of one ton of steel and 35 kilograms of copper from the closed NOCL Company, Periyakuppam. He would further submit that petitioner has a previous case in Crime No.321 of 2021 for the alleged offence under Sections 380, 511 & 454 IPC. He would also submit that an amount of Rs.75,000/- has been recovered from the petitioner. However, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner.



CrI.O.P.No.22673 of 2022

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Potonovo, Cuddalore**, 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 learned respondent Police, everyday at 10.30 a.m. and 5.30 p.m., for a period of four weeks and thereafter, every Saturday at 10.30 a.m., until further orders;**

[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



Crl.O.P.No.22673 of 2022

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.

20.09.2022

ham

To

1. The District Munsif cum Judicial Magistrate, Potonovo,
Cuddalore.
2. The Sub-Inspector of Police,
Portonovo Police Station,
Cuddalore.
3. The Sub Jail,
Chidambaram.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.22673 of 2022

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.22673 of 2022

20.09.2022