



WEB COPY



Crl.O.P.No.15410 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.15410 of 2016

Pitchai @ Naveenatha Krishnan

... Petitioner/Accused

Vs.

1. State by

The Inspector of Police,
The Station House Officer,
District Crime Branch,
Cuddalore.

2. K.C.Chinathambu S/o. Chinnasamy Naidu

(Crime No.7 of 2016)

...Respondents

[R2 impleaded vide order dated
07.11.2023 made in
Crl.M.P.No.7858 of 2016 in
Crl.O.P.No.15410 of 2016]

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.7 of
2016 on the file of the 1st respondent police.

For Petitioner : Mr.M.Selvam

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



WEB COPY



CrI.O.P.No.15410 of 2016

ORDER

The petitioner seeks bail in Crime No.7 of 2016, registered by the respondent police for the offences punishable under Sections 406 & 420 of IPC. The petitioner had been remanded to judicial custody on 25.06.2016.

2.A learned Single Judge of this Court, by order dated 02.08.2016, had granted interim bail to the petitioner herein on condition that the petitioner should deposit a sum of Rs.5,00,000/- and that on such deposit, it should be handed over to the defacto complainant and also directed that the petitioner should deposit original title deeds of the property.

3.A report had been received from the District Munsif cum Judicial Magistrate, Neyveli, in D.No.1620 of 2023 dated 31.10.2023 wherein, the learned Magistrate had stated that the petitioner had deposited a sum of Rs.5,00,000/- on 24.08.2016 and on 30.12.2016 and the said amount had been paid back to the defacto complainant.

4.It is also stated that the petitioner had deposited the title deeds of the property stands in the name of him and his wife and a communication



CrI.O.P.No.15410 of 2016

had also been forwarded to the Office of the Sub-Registrar, Vadalur, to avoid encumbrance regarding that deposited property.

5.In view of the fact that the petitioner had complied with the said conditions, I am inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Judicial Magistrate, Neiveli, 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 weekly once i.e., every Wednesday at 10.30 a.m., for a period of two weeks and thereafter, 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



Crl.O.P.No.15410 of 2016

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.

07.11.2023
(2/2)

ata



WEB COPY



Crl.O.P.No.15410 of 2016

To

1. The Judicial Magistrate, Neiveli.
2. The Central Prison, Cuddalore.
3. The Inspector of Police,
Station House Officer,
District Crime Branch,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



WEB COPY



Crl.O.P.No.15410 of 2016

ata

Crl.O.P.No.15410 of 2016

07.11.2023

(2/2)