



Crl.O.P.Nos.6039 & 5983 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

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

Crl.O.P.Nos.6039 & 5983 of 2024

S.Sivakumar Pandi

...Petitioner/Accused-4
in Crl.O.P.No.6039 of 2024

Senthilvel

...Petitioner/Accused-1
in Crl.O.P.No.5983 of 2024

Vs.

State represented by
The Inspector of Police,
M2, Madhavaram Milk Colony Police Station,
Madhavaram, Chennai-51.

(Crime No.61 of 2024)

...Respondent
in both petitions

PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.61 of
2024 on the file of the respondent police on such terms and conditions.

(In Crl.O.P.No.6039 of 2024))



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For Petitioner : Mr.V.Babu
For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

(In Crl.O.P.No.5983 of 2024))

For Petitioner : Mr.M.Jayaseelan
For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

COMMON ORDER

The petitioner/A1 has filed Crl.O.P.No.5983 of 2024 and the petitioner/A4 has filed Crl.O.P.No.6039 of 2024, both in Crime No.61 of 2024, registered by the respondent for the offences under Sections 341, 294(b), 395, 397 & 506(ii) of IPC, seek bail. Both the petitioners had been remanded to judicial custody on 15.02.2024.

2.It is the case of the prosecution that the defacto complainant was driving his lorry bearing Regn.No.TN-04-AF-7459 with 25 tonnes of iron materials. The accused intercepted the lorry and drove away with it. But however, the lorry had been recovered along with stolen materials and also the mobile phone, which had been snatched away.

3.It is stated that A3 and A6 are absconding. The learned counsel for the petitioner/A4 stated that the petitioner is admitted to hospital for injuries in legs. Taking all these factors into consideration, I am inclined



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to grant bail to the petitioner in both the criminal original petitions subject to the following conditions:

4. Accordingly, the petitioners are ordered to be released on bail on condition to execute separate 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 District Munsif cum Judicial Magistrate Court, Madhavaram, 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/A1 shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] The petitioner/A4 to remain in judicial custody in the Stanley Medical College and Hospital, Chennai, till his discharge and after he is discharged from hospital, shall 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 District Munsif cum Judicial Magistrate Court, Madhavaram, and thereafter, to appear before the respondent police everyday at 10.30 a.m., until further orders.

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



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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.

11.03.2024

ata

C.V.KARTHIKEYAN. J.

ata

To

1. The District Munsif cum Judicial Magistrate Court, Madhavaram.



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2. The Judicial Magistrate Court, Madavaram.

3. The Central Prison, Puzhal, Chennai.

4. The Inspector of Police,
M2, Madhavaram Milk Colony Police Station,
Madhavaram, Chennai-51.

5. The Public Prosecutor,
High Court of Madras.

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