



Crl.O.P.No.29754 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM

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

Crl.O.P.No.29754 of 2024

Vignesh

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Mayiladuthurai Police Station.
Mayiladuthurai District.
(Crime No.201 of 2023).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in
connection with Crime No.201 of 2023, pending investigation on the file of
the respondent Police.

For Petitioner : Mr.S.Vellidoss

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.201 of 2023 registered
for the offences punishable under Sections 379 and 420 of IPC is on board
for consideration.



Crl.O.P.No.29754 of 2024

WEB COPY

2. The incarceration of the petitioner/A3 being from 25.10.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that one of the co-accused has been enlarged on bail by this Court on Crl.O.P.No.29062 of 2024 dated 21.11.2024. He further submits that the petitioner has nothing to do with the alleged offence and he is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused, who were working in Abi & Abi Motors, Sirkazhi, conspired together and committed theft of spare parts, camera and TATA Ace engine from their company and further, by creating fake invoices cheated their company to the tune of Rs.8,48,224/-. He further submits that the investigation in this case is still pending.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, and also considering the period of



CrI.O.P.No.29754 of 2024

incarceration undergone by the petitioner and that the co-accused has been enlarged on bail, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Mayiladuthurai**, 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 everyday 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



CrI.O.P.No.29754 of 2024

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 269 of B.N.S.

28.11.2024

ham



Crl.O.P.No.29754 of 2024

WEB COPY

To

1. The Judicial Magistrate No.I,
Mayiladuthurai.
2. The Inspector of Police,
Mayiladuthurai Police Station.
Mayiladuthurai District.
3. The Superintendent,
Sub Jail,
Mayiladuthurai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.29754 of 2024

A.D.JAGADISH CHANDIRA., J.

ham

Crl.O.P.No.29754 of 2024

28.11.2024