



CRL O.P. No.3586 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL O.P. No.3586 of 2025

Sheik Alavudeen

... Petitioner / Accused

Versus

The State

Represented by the Inspector of Police,

Mappedu Police Station,

Tiruvallur.

(Crime No.113 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail pending investigation in Crime No.113 of 2024 on the file of the respondent Police registered for the offence under Sections 406, 420, 506(1), 465, 467, 468, 471, 120B of IPC.

For Petitioner : Mr. M.Himavanth

For Respondent : Mr. A. Gopinath,
Government Advocate (Crl. Side).



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ORDER

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 17.12.2024, seeking bail in Crime No.113 of 2024 registered for the offence under Sections 406, 420, 506(1), 465, 467, 468, 471, 120B of IPC.

2. The case of the prosecution is that the defacto complainant and the other victims had leased out their cars for monthly rent to the petitioner and the other accused, whereas, they sold the car to the third parties without the knowledge of the car owners and when they asked for return of their cars, the accused threatened them with dire consequences. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused have been released on bail in CrI.O.P. No. 30643 of 2024 dated 09.12.2024 and in CrI.O.P. No. 31993 of 2024 dated 21.12.2024 respectively and the petitioner is in custody



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from 17.12.2024 and since further custody is not required, the petitioner may be released on bail.

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4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that there are 44 victims in this case and the accused have totally sold 52 cars, out of which, 37 were recovered by the respondent police and further submitted that the petitioner has no previous case.

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

6. Considering the fact that the co-accused have been released on bail; the period of incarceration; and that since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. 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.II, Tiruvallur.

[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 Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of***



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Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 269 B.N.S.

13.02.2025

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To

1.The Public Prosecutor,
High Court of Madras,
Chennai.

2.The Inspector of Police,
Mappedu Police Station,
Tiruvallur.

3.The Judicial Magistrate No.II,
Tiruvallur

4.The Superintendent
Pudukottai District Prison.



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SUNDER MOHAN. J,

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