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Crl.O.P.No.28849 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

**CRL OP NO.28849 of 2025
and CRL MP NO.20169 of 2025**

Soundararajan

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Thazhambur Police Station,
Thazhambur
(Crime No.335 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.335 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. V. Karthikeyan

For Intervener : Mr. R. Ragavendran

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 07.10.2025 for the offences punishable under Section 306 of BNS in Crime No.335 of 2025, registered on the file respondent police, seeks bail.

2. The allegation against this petitioner is that, while he was working as a Supervisor under the defacto complainant company, he had misappropriated bitumen worth about Rs.4,00,000/-. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case; that the petitioner is aged about 63 years and has medical ailments and he is in judicial custody since 07.10.2025; that the value of the bitumen alleged to be misappropriated is only Rs.2,50,000/- Lakhs but in the complaint, the same was falsely stated as if the worth of the alleged bitumen is about Rs.4,00,000/-. He also submitted that already a sum of Rs.2,50,000/- lakhs was recovered in the mahazar from the petitioner herein; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



4. The learned counsel for the intervener raised strong objection for the grant of bail to the petitioner by stating that, the value of bitumen misappropriated by the petitioner herein from the company is Rs.4,00,000/- and if the petitioner is released on bail, there is likelihood of tampering with the evidence.

5. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the bitumen alleged to have been misappropriated is worth about Rs.4,00,000/- and a sum of Rs.2,50,000/- was seized from the petitioner; and that the investigation of this case is pending.

6. Considering the facts and circumstances of the case, nature of allegation, the fact that so far a sum of Rs.2,50,000/- has been recovered from the petitioner and also the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned District Munsif Cum Judicial Magistrate at Thiruporur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of two weeks and thereafter, as and when required for interrogation by the respondent police;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;



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

8. Accordingly, this criminal original petition and connected criminal miscellaneous petition are ordered.

29.10.2025

stn

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The District Munsif Cum Judicial Magistrate,
Thriuporur.
2. The Inspector of Police,
Thazhambur Police Station,
Thazhambur. (Crime No.335 of 2025)
3. The Superintendent,
Central Prison at Puzhal.



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4. The Public Prosecutor,
High Court of Madras.

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