

Crl.O.P.No.25517 of 2015**K.KALYANASUNDARAM, J.**

The petitioner, who is arrayed as A4, was arrested on 20.06.2014 and remanded to judicial custody on 21.06.2014 for the alleged offences punishable under Sections 489 B and C IPC r/w 25 (1-B)(a) of Arms Act. During the investigation, the respondent altered the offences to Sections 489 B and C IPC r/w 25(1-B) (a) of Arms Act, Section 15(1)(a)(iii a) and 16 (1) of Unlawful Activities (Prevention) Act, in Crime No.2 of 2014, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on a secret information, the police party searched the accused 1 and 2 and found counterfeit currency notes for the value of Rs.7,90,000/-, a pistol with two magazine and 7.65 rounds 5 numbers. Based on the confession statement of the first accused, 100 numbers of Rs.1000/- denomination counterfeit currency notes were recovered from his residence and two numbers of Rs.1000/- denomination counterfeit notes and a cell phone were recovered from the petitioner/A4. A1 further confessed that he has given counterfeit currency notes for a value of Rs.1,00,000/- to the petitioner / A4 in the month of May,

2014 for circulation and after circulating 98 notes, he was found in possession of remaining two numbers of Rs.1000/- notes.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence alleged by the respondent. It is further submitted that he was under judicial custody for more than one and half a years.

4. Mr.S.Shanmugavelayutham, learned Public Prosecutor appearing for the respondent would submit that the prefix numbers of seized fake currency notes from the petitioner tallies with the notes seized from the first accused, which shows that the petitioner, with an active participation with the first accused, has involved in this occurrence. The petitioner is one of the members of the gang, which involved in circulating fake currency notes. Further, the petitioner is involved in one previous case under NDPS Act for possession of 14 Kgs of Epidorm drug in RR No.27 of 2013 and he was also convicted. The earlier bail petitions of this petitioner in CrI.O.P.No.19550 and 22864 of 2014 were dismissed on 05.08.2014 and 25.08.2014 respectively. The similarly placed co-accused petition was also dismissed recently on

10.12.2015 by this Court in Crl.O.P.No.26211 of 2015. It is further submitted that the petitioner and the other accused are involved in Unlawful Activities and prayed for dismissal of the petition.

Considering the fact and circumstances of this case, this Court is not inclined to grant bail to the petitioner and therefore, this Criminal Original Petition is dismissed.

29.02.2016

sms

K.KALYANASUNDARAM, J.

sms

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Order in CrI.O.P.No. of 2016

To

The Hon'ble Mr.Justice K.KALYANASUNDARAM,

Most respectfully submitted

by (sms-Pa)