



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the First day of November Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20735 of 2016

CHRISTOPHER XAVIER

... PETITIONER / ACCUSED A1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR DISTRICT
IN CR.NO.597 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.JEYAKUMARAN, Advocate

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate(Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / A1, who was arrested on 16.09.2016, for the offences punishable under Sections 420, 465, 467, 468, 471, 474, 34 and 120(b) IPC in Crime No.597 of 2016 on the file of the respondent police, seeks bail.

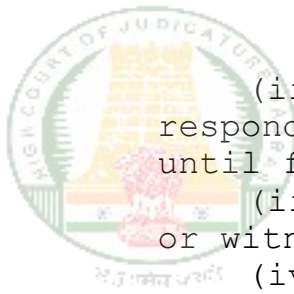
2.The case of the prosecution is that the petitioner along with other accused created a forged cheque for a sum of Rs.1 crore 37 lakhs and presented the same for encashing. Based on the complaint of the Branch Manager of the Bank, the present case is registered against the petitioner.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 16.09.2016 onwards.

4.The learned Government Advocate(Crl. Side) would submit that already A3 has been enlarged on bail by this Court in Crl.O.P.(MD) No.19829 of 2016 on 14.10.2016. He further submitted that investigation is almost over.

5.Considering the facts and circumstances of the case and taking note of the fact that A3 has already been enlarged on bail by this Court, I am inclined to grant bail to the petitioner. Accordingly, **the petitioner is ordered to be released on bail** subject to the following conditions:

(i)the petitioner 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 the Judicial
Magistrate, Rajapalayam;



(ii) the petitioner is directed to appear before the respondent police daily twice at 10.30 a.m. and 5.00 p.m. until further orders;

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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]**.

sd/-

01/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR @ SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE, RAJAPALAYAM SOUTH POLICE STATION,
VIRUDHUNAGAR DISTRICT

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

5 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.JEYAKUMARAN, Advocate SR.No.64342.

ORDER IN

CRL OP(MD) No.20735 of 2016

Date :01/11/2016

msm/ss3/01.11.16/p2/7c