



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

Wednesday, the Seventh day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23053 of 2016

SELVAM

... PETITIONER / ACCUSED No 1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
TOWN SOUTH POLICE STATION,
DINDIGUL
IN CRIME NO.638/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.KARUNANIDHI Advocate

For Respondent : Mr.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

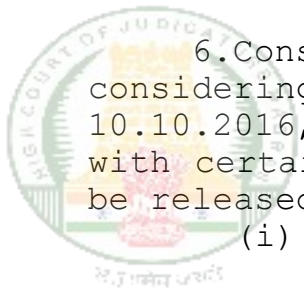
The petitioner is arrayed as first accused, who was arrested and remanded to judicial custody on 10.10.2016 for the alleged offences punishable under Sections 489(B) and 489(C) IPC, in Crime No.638 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that 100 rupees notes, which were given by the petitioner are counterfeit notes.

3.The case of the petitioner is that the petitioner is not way connected with the alleged occurrence and a false complaint has been lodged against the petitioner due to previous enmity. The petitioner is in judicial custody from 10.10.2016.

4.The learned counsel for the petitioner states that the petitioner is working in the Tea shop of the defacto complainant and the complaint was given with an ulterior motive.

5.The learned Government Advocate (Crl. side) submitted that totally there are three accused in this case and except this petitioner, two accused are still absconding. He would further submit that investigation was over and charge sheet is also filed before the concerned court and the same is yet to be taken on file.



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6. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 10.10.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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 learned Judicial Magistrate No.III, Dindigul,
- (ii) the petitioner shall report before the jurisdictional court at 10.30 a.m. until further orders.
- (iii) the petitioner shall not tamper with 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 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 Kerala [(2005)AIR SCW 5560]**.

7. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

07/12/2016

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

TO

1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL

2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL

3 THE INSPECTOR OF POLICE
TOWN SOUTH POLICE STATION, DINDIGUL

4 THE OFFICE INCHARGER
<https://hcservices.ecourts.gov.in/hcservices/>
THE DISTRICT JAIL, DINDIGUL



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

+1. CC to M/S.R.KARUNANIDHI Advocate SR.No.79625

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ORDER

IN

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Date :07/12/2016