

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Third day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S. BASKARAN

CRIMINAL ORIGINAL PETITION No.3440 of 2017

RAJA [PETITIONER / ACCUSED]

Vs

STATE REP. BY [RESPONDENT]
THE INSPECTOR OF POLICE,
KARIMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.
CR.NO.639 OF 2016

For Petitioner : M/S.V.VIJAYAKUMAR Advocate

For Respondent : R.SEKAR, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 420 and 506 (i)IPC in Crime No.639 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant by name Sankar and his business friends Murugesan, Periyasamy have possessed a sum of Rs.35 lakhs of new currencies note of 2000 denominations. His friend Murugesan had suggested to exchange the new currencies with old currency notes for 20% commission and introduced one Mahesh Kumar of Erode(A1), who in turn introduced Nagaraj of Pennakaran (A2) for such exchange for commission. On 19.12.2016, the said Nagaraj asked the defacto complainant to bring the new currency notes at the junction of Karimangalam-Morappur service road. By that time, his friend Murugesan came along with another person in a motor cycle and verified the bag given by Nagaraj and gave his bag containing old currency notes of 500 denominations. Immediately, the said Murugesan(A3) flee away from the place with the bag contains the new 2000 currency notes totalling, Rs.35 lakhs. By that time, another five persons came there in two cars, attempted to grab the bag containing old currencies given by Nagaraj to the defacto complainant, but their attempt failed and hence, they made a life threat to the defacto complainant. Hence, this complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. The petitioner name is not found place in the FIR. There is no specific overtact attributed against this petitioner. The vehicles involved in this crime are also not of the petitioner. Further he would submit that the co-accused has already been arrested and released on bail.

4.Learned Government Advocate(crl.side) would submit that this is a case of cheating and swindling the money of the defacto complainant. The petitioner is the accused No.5. Totally, a sum of Rs.26,50,000/- is involved in this case and the said amount has already been recovered. Further, he would submit that as per the complaint, the petitioner is liable to pay a sum of Rs.2lakhs and the investigation is pending.

5.Considering the facts and circumstances of the case and taking note of the couple of fact that, the amount has already been recovered and the co-accused has also been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before **the learned Judicial Magistrate, Pennagaram**, within a period of 15 days, from the date of receipt of a copy of this order, on his executing 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 concerned or to the satisfaction of the respondent police or the police officer who intends to arrest and on further condition that, the petitioner shall deposit a sum of **Rs.1,00,000/- (Rupees one lakhs only) to the credit of Crime No.639 of 2016**, within a period of two weeks from the date of receipt of a copy of this order and on further condition that the petitioner shall report before **the respondent police daily at 10.00 a.m for a period of two weeks** and thereafter as and when required for interrogation.

-sd/-

23/03/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
PENNAGARAM

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KARIMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.

CC to M/S.V.VIJAYAKUMAR Advocate on payment of necessary
charges

CRL OP.3440/2017

Date :23/03/2017

PTI-27/03/2017