



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

Wednesday, the First day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1066 of 2017

SELVAKUMAR

... PETITIONER/ACCUSED NO.22

Vs

STATE, REP BY
THE INSPECTOR OF POLICE,
ILAYANKUDI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.367/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR 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 :-

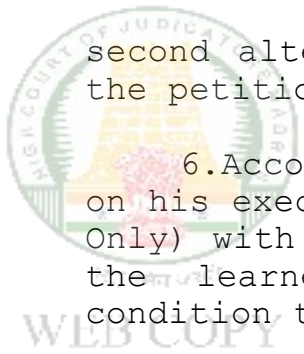
The petitioner / A22, who was arrested and remanded to judicial custody on 11.01.2017 for the offences punishable under Sections 395 and 397 @ Sections 395, 397, 212, 120(b) IPC and Section 23 of TNPPDL Act r/w 34 of IPC in Crime No.367 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused, by giving false promise to convert old currency into a new one, cheated the de fact complainant for a sum of Rs.30 lakhs.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (crl.side) appearing for the respondent also submitted that investigation is almost completed. He also submitted that co accused was enlarged on bail by this Court in Crl.O.P.(MD)No.369 of 2017 on 19.01.2017 and a sum of Rs.3.10 was recovered from A1 and Rs.2 lakhs was recovered from A2.

5.Considering the facts and circumstances of the case and also considering specific overt act attributed against this petitioner and also the name of the petitioner was implicated only in the



second alteration report, this Court is inclined to grant bail to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail 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, Ilayangudi, and on further condition that:

[a] the petitioner shall report before the concerned Judicial Magistrate daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness during trial.

[c] the petitioner shall not abscond during trial.

[d] 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].

sd/-
01/02/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ILAYANGUDI, SIVAGANGAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE INSPECTOR OF POLICE,
ILAYANKUDI POLICE STATION, SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.5233

NBJ

CSL/RR-BS/SAR-II/02.02.2017 : 2P/7C

ORDER
IN
CRL OP(MD) No.1066 of 2017
Date : 01/02/2017