



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

Friday, the Eighteenth day of August Two Thousand Seventeen
PRESENT

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

CRL OP(MD) No.10908 of 2017

JEYAPPAUL

... PETITIONER/ ACCUSED NO.3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE(CRIME),
THATCHANALLUR POLICE STATION,
TIRUNELVELI CITY.
(CR.NO.340/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.P.SARAVANAKUMAR Advocate

For Respondent : M/S.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

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

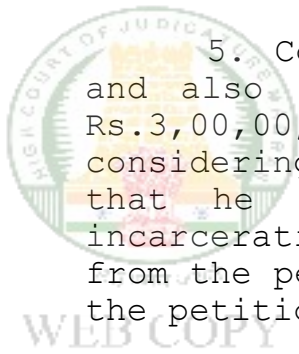
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 15.07.2017, for the offences punishable under Section 395 of IPC., in Crime No.340 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 is working under the defacto complainant and he has given an idea to the defacto complainant for exchange of old currencies into new currencies with the help of other accused. The defacto complainant had taken Rs.3,00,00,000/- old currencies with A3 by a Car and the other accused said to have waylaid the said car and pouring chilly powder upon the defacto complainant and have taken away the said amount illegally from him and latter on, the said amount of Rs.3,00,00,000/- was recovered from A4 & A5.

3. The learned counsel appearing for the petitioner would submit that the petitioner was not at all participated in the said alleged occurrence and there is no property recovered from the petitioner and there is no previous case pending as against him and he is an innocent.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that FIR was registered against 3 named accused and 17 others and the petitioner is named accused and he is arrayed as A3 in this case and he accompanied with the defacto complainant along with old currency amount of Rs.3,00,00,000/-. The petitioner was arrested on 15.07.2017 and he is now in judicial custody and the investigation is still pending.



5. Considering the above facts and circumstances of the case and also considering the fact that the old currencies totalling Rs.3,00,00,000/- were recovered from A4 and A5 in this case and also considering the specific overt act attributed against the petitioner that he is present the occurrence place and the period of incarceration of the petitioner in jail and no recovery is effected from the petitioner herein, 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 No.IV, Tirunelveli and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders, for interrogation.

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

[c] the petitioner shall not abscond either during investigation or trial and the petitioner shall co-operate with the investigation by the respondent police.

[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/-
18/08/2017

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

TO

1. THE JUDICIAL MAGISTRATE NO.IV, TIRUNELVELI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE (CRIME),
THATCHANALLUR POLICE STATION, TIRUNELVELI CITY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.KALAIYARASI BHARATHI, Advocate SR.No.28937
ORDER IN
CRL OP (MD) No.10908 of 2017
Date : 18/08/2017