



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

Tuesday, the Twentieth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.7532 of 2017

SURESH

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP.BY,
THE SUB INSPECOR OF POLICE
VARUSANADU POLICE STATION,
THENI DISTRICT
CRIME NO.215 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUMAR Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

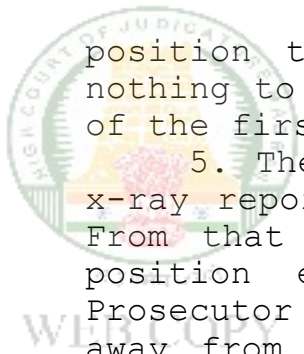
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A-3, in Crime No.215 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 489(B) and 489(C) of I.P.C and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent/State.

3.The learned Additional Public Prosecutor appearing for the respondent on instructions submitted that the petitioner and other accused are said to have purchased counterfeit currency notes. He further submitted that during surprise check up the first accused ran away from the occurrence spot and he was arrested and on the confession given by the first accused, the petitioner is arrayed as accused. He further submitted that counterfeit notes were seized from the house of the first accused.

4. However, the learned counsel appearing for the petitioner submitted that the petitioner met with an accident and admitted in a hospital between 16.05.2017 and 24.05.2017. But, the occurrence is said to have taken place on 11.06.2017 and even today he is not in a



position to walk. He further submitted the petitioner has got nothing to do with the alleged offence, but based on the confession of the first accused, he has been falsely implicated in this case.

5. The learned counsel for the petitioner has produced a copy x-ray report and discharge summary for the perusal of this Court. From that perusal, it is seen that the petitioner is not in a position even to run, whereas the learned Additional Public Prosecutor would submit that A-1 was arrested and other accused ran away from the occurrence spot, which cannot be accepted by this Court.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Andipatti, Theni District and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
20/06/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ANDIPATTI, THENI DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
VARUSANADU POLICE STATION, THENI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.24726

PM
CSL/PM-PN/SAR-I/22.06.2017: 2P/6C

ORDER
IN
CRL OP(MD) No.7532 of 2017
Date : 20/06/2017