



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

Tuesday, the Eighth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9868 of 2017

RAJ @ RAJAN

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
NORTH POLICE STATION,
THOOTHUKUDI,
CRIME NO.411 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.RAJMAHENDRAN 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 :-

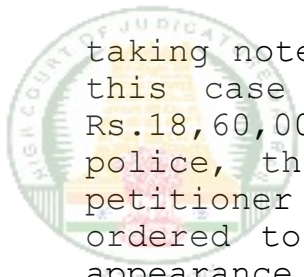
The petitioner, who is arrayed as accused No.3, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 406 of I.P.C and Section 7 of the Specified Bank Notes (Cessation and Liabilities) Act, 2017, in Crime No. 411 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused tried to change the old demonetization currency to the tune of Rs.18,60,000/-.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not involved any such offence, as alleged in the FIR and he has been falsely implicated in this case by the co-accused.

4.The learned Additional Public Prosecutor appearing for the respondent Police, on instructions, would submit that A1 and A2 were arrested in custody and A4 and A5 were still absconding. Investigation is still pending. He would further submit that the petitioner along with other accused tried to change the old demonetization currency to the tune of Rs.18,60,000/-. The old currency notes and a two wheeler have been seized and the investigation is still pending.

5.Considering the facts and circumstances of the case and also



taking note of the fact that the petitioner has been implicated in this case by the co-accused and the demonetization currency of Rs.18,60,000/- and a two wheeler were seized by the respondent police, 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, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.III, Thoothukudi, on condition that 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

[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.

[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/-

08/08/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III, THOOTHUKUDI.

2 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

3 THE INSPECTOR OF POLICE,
NORTH POLICE STATION, THOOTHUKUDI.

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

+1. CC to M/S.K.RAJMAHENDRAN Advocate SR.No.28427
DAS/RMI
CSL/RR-BS/SAR-I/11.08.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.9868 of 2017

Date :08/08/2017