



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

Wednesday, the Twentieth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.8536 of 2018

GURUMOORTHY @ MUMOORTHY

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSEPCTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.
CRIME NO.191/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.JOSEPH JERRY, Advocate

For Respondent : PUBLIC PROSECUTOR

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

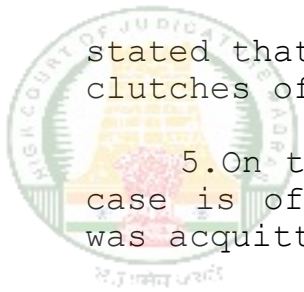
ORDER : The Court Made the following order :-

The petitioner/sole accused who was arrested and remanded to judicial custody on 12.04.2018 for the alleged offences punishable under Sections 489 A, 489 C and 489 D of IPC, in Crime No.191 of 2018, on the file of the respondent police, seeks bail.

2.The case of prosecution is that the petitioner was having fake notes for a sum of Rs.1,07,000/- (Rupees One Lakh and Seven Thousand only) in his hand to change into the market.

3.On the side of the petitioner, it is stated that Section 489 (A) is not made out as there is no allegation of counterfeit currency notes. It is further stated that Section 489(C) is not made out as the accused did not use the counterfeit notes. The maximum allegation against the petitioner is that he was found in possession of counterfeit currency notes and Section 489(C) is bailable and for the bailable offence, the petitioner was kept in custody for the past 55 days and the petitioner is 60 years aged person and he prayed to grant bail to the petitioner.

4.On the side of the respondent, it is stated that the petitioner was found in possession of counterfeit notes to the value of Rs.1,07,000/- (Rupees One lakh and Seven Thousand only) and there are 15 previous cases against the accused throughout Tamil Nadu and Kerala. The petitioner is a habitual offender. In the previous case, Non bailable Warrant is also pending. The learned counsel further



stated that if he is released on bail, he may again abscond from the clutches of law.

5. On the side of the petitioner, it is stated that the previous case is of the year 1997 and in the previous case, the petitioner was acquitted.

6. Considering the gravity of the offence and considering the antecedents of the accused and considering the fact that the amount involved is more than a sum of Rs.1,00,000/- (Rupees One Lakh only) and Section 489(C) cannot be ignored, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-
20/06/2018

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

TO

- 1 THE INSEPCTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.
- 2 THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.8536 of 2018
Date : 20/06/2018

MS/RR-CSL/VK/26.06.2018/2P.4C