



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

Wednesday, the Fourth day of April Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5166 of 2018

ABBAS

... PETITIONER / ACCUSED rank not known

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
THENI POLICE STATION, THENI DISTRICT,
IN CR.NO.120 OF 2018.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.SENGUTTUARASAN Advocate

For Respondent : PRABU RAMACHANDRAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as Accused No.2. He was arrested by the respondent police on 08.02.2018 and remanded to judicial custody. The case against him is for the offences punishable under Sections 489-A and 489-B IPC, in Crime No.120 of 2018, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the accused persons deposited a sum of Rs.43,000/- fake currency notes in the Tamilnad Mercantile Bank, Theni. On complaint, the case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 08.02.2018 and the co-accused, viz., Kathiresan/A2 was already arrested and released on bail by this Court, on 27.02.2018 in Crl.O.P.(MD)No.3106 of 2018 and therefore, prays for bail in favour of the petitioner.

4.The learned Government Advocate (Criminal side) submitted that the investigation is substantially over.

5.Considering the nature of allegations against the petitioner and also considering the fact that he is in judicial custody from



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08.02.2018, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) 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 learned Judicial Magistrate, Theni, Theni District.
- (ii) The petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders.
- (iii) The petitioner shall not abscond.
- (iv) 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/-

04/04/2018

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

TO

1 THE JUDICIAL MAGISTRATE, THENI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE
THENI POLICE STATION, THENI DISTRICT.

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

+1. CC to M/S.P.SENGUTTUARASAN, Advocate SR.No.5371.

ORDER

IN

CRL OP(MD) No.5166 of 2018

Date :04/04/2018