



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

Monday, the Tenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21800 of 2018

KUMARESAN

... PETITIONER / ACCUSED -1

Vs

STATE REP BY INSPECTOR OF POLICE
RAJATHANI POLICE STATION,
THENI DISTRICT,
(CR NO. 372 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.BALAKRISHNAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

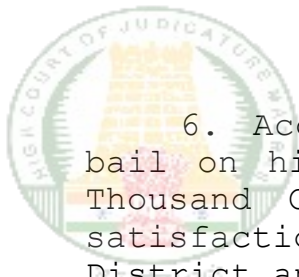
The petitioner, who was arrested by the respondent police on 19.10.2018, for the offences punishable under Sections 489(B) and 489 (C) of IPC in Crime No.372 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of Rs.1,44,000/- fake currencies.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution and a false case has been foisted against him and he has been in judicial custody for more than 56 days.

4. The learned Government Advocate (crl.side) appearing for the respondent, on instructions, would submit that the petitioner herein is arrayed as A1 and he is the main accused in this case and that co- accused in this case has been granted anticipatory bail by this Court.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration and also the fact that co- accused have been granted anticipatory bail, this Court is inclined to grant bail to the petitioner, with 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, Aundipatti, Theni District and on further condition that:

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[a] the petitioner shall appear before 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]**.

[e] If the accused thereafter absconds, a fresh FIR Can be registered under Section 229 A IPC.

sd/-
10/12/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
AUNDIPATTI, THENI DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI
- 3 THE INSPECTOR OF POLICE
RAJATHANI POLICE STATION, THENI DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL JAIL, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) No.21800 of 2018
Date :10/12/2018