



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

Thursday, the Second day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.13701 of 2018

R.SUBRAMANIAN

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY,  
THE INSPECTOR OF POLICE  
TENKASI POLICE STATION,  
TIRUENLVELI DISTRICT  
(CR NO.382 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.MOHIDEEN BASHA Advocate

For Respondent : Mr.A.ROBINSON Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.2, is in custody since 24.07.2018 for the offence under Sections 353, 489-B and 489-C IPC in Crime No.382 of 2018, on the file of the respondent Police and seeks bail.

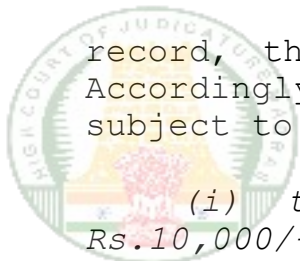
2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3. The learned counsel appearing for the petitioner submits that the petitioner is a flower vendor and to go to the Thenkasi, he had taken a lift with the first accused. The vehicle was intercepted by the police. Then he came to know that the first accused was in possession of the fake currency notes to the tune of Rs.2,80,000/-. Since the petitioner was also found to be in the two wheeler of the first accused, the police has reported as if Rs.2,31,000/- was recovered from the first accused and Rs.49,000/- was recovered from this petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner is not having any previous case.

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5. This Court is of the view that the petitioner is a victim of circumstances and the young age of the petitioner and his past



record, this Court is inclined to grant bail to the petitioner. 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) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi.

(ii) the petitioner shall appear before the respondent Police as and when required for interrogation.

(iii) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the 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/-  
02/08/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI.
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT OF CENTRAL PRISON,  
PALAYAMKOTTAI.  
TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE  
TENKASI POLICE STATION,  
TIRUNELVELI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.N.MOHIDEEN BASHA Advocate SR.No.14749

ORDER  
IN  
CRL OP(MD) No.13701 of 2018  
Date : 02/08/2018

TRP

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MV:FN:SAK2:02/08/18/2P/7C