



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

Tuesday, the Fourth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21387 of 2018

VASANTHAKUMAR

... PETITIONER / ACCUSED NO.3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
RAJATHANI POLICE STATION,
THENI DISTRICT.
IN CRIME NO.372 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.RAMASAMY Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 20.10.2018 for the offence punishable under Sections 498-B & 489-C of I.P.C., in Crime No.372 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 19.10.2018, on secret information the respondent police and the Village Administrative Officer went to Kathirnarasingapuram and seized fake notes worth Rs.1,44,000/- (Rupees One Lakh Forty Four Thousand Only). From this petitioner 10-notes to the value at Rs.20,000/- was seized. Hence a case has been registered.

3. The learned counsel for the petitioner would submit that the petitioner was present at the scene of occurrence and thereby the police registered false case against the petitioner and that the petitioner has not committed any offence as alleged by the prosecution.

4. The Additional Public Prosecutor would submit that the respondent police and team seized the 72 fake notes (valid a sum of Rs.1,44,000/-) and the same was kept in possession of the accused persons.



5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

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, Andipatti 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 abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness 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]**.

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

sd/-

04/12/2018

/ TRUE COPY /

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

TO

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

+1. CC to Mr.S.RAMASAMY Advocate SR.No.22647

ORDER IN

CRL OP(MD) No.21387 of 2018

Date :04/12/2018