



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

Thursday, the Twenty Fourth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.1030 of 2019

1 MUTHUKRISHNAN
2 MUTHUPANDI
3 CHELLAPANDI

... PETITIONER / ACCUSED
Nos.1 to 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
UTHUMALAI POLICE STATION,
TIRUNELVELI DISTRICT.
Crime No.4/2019

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.V.M.JEGADEESHA PANDIAN 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 petitioners were arrested and remanded to judicial custody since 07.01.2019 for the offences punishable under Sections 489-B, 489-C, 389-E of IPC, in Crime No.4 of 2019, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 6.1.2019 the petitioners herein gave fake currency of Rs.2,000/- and Rs.200/- to the employee of the Petrol Bunk running by the defacto complainant for the petrol filled by them.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) appearing for the respondent would submit that totally there are three accused in this case and the investigation is in preliminary stage.



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

6. Accordingly, the petitioners are ordered to be released on bail on executing 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, Alangulam, and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioners shall not abscond either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 229A IPC.

sd/-
24/01/2019

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
ALANGULAM.

2.THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



3. THE INSPECTOR OF POLICE,
UTHUMALAI POLICE STATION,
TIRUNELVELI DISTRICT.

4. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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

+1. CC to Mr.V.M.JEGADEESHA PANDIAN Advocate SR.No.1331

ORDER

IN

CRL OP(MD) No.1030 of 2019

Date :24/01/2019

TK/VR/SAR-2/24.01.2019/3P/7C