

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Twenty Fifth day of March Two Thousand Nineteen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3134 of 2019

SIVARANJANI

... PETITIONER / 2nd ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
KARAIKUDI, SIVAGANGA DISTRICT.
CRIME NO.49/2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.CHILAMPARASAN 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 who was arrested on 05.02.2019 for the offences under Sections 489(B) and 489(C) of IPC ,in Cr.No.49 of 2019, 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.94,000/- fake currency notes. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and she is innocent. He would also submit that the entire currency notes was recovered from A1 and based on the confession statement of the co- accused this petitioner was implicated. He would also submit that co- accused was released on bail. Hence he would pray for bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for respondent did not dispute the fact that the co- accused was released on bail by the Sessions Court.

5.Considering the nature of the case and considering the period of incarceration and also considering the fact that the co- accused was enlarged on bail by the Sessions Court ,I am inclined to grant bail to the petitioner. 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of

the learned Judicial Magistrate, cum Principal District Munsif, Karaikudi and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the Karaikudi All Women Police Station daily at 10.30 a.m until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
25/03/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE CUM
PRINCIPAL DISTRICT MUNSIF, KARAIKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
KARAIKUDI, SIVAGANGA DISTRICT.
- 4 THE SUPERINTENDENT,
WOMEN PRISON, CENTRAL JAIL, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.CHILAMPARASAN Advocate SR.No. 5423

COPY TO:

THE INSPECTOR OF POLICE,
KARAIKUDI ALL WOMEN POLICE STATION, KARAIKUDI.

ORDER
IN
CRL OP(MD) No.3134 of 2019
Date :25/03/2019