



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

Date : 29/07/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.6705 of 2020

1. JEYARAJAN
2. PALANIYAPPAN
3. VELU

... PETITIONERS/ACCUSED 1 TO 3

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT,
IN CRIME NO. 583 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioners : M/s. G.Mathavan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

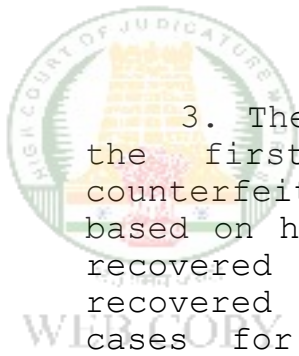
PRAYER :-

For Bail in Crime No. 583 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners herein were arrested on 10.06.2020 for the alleged offences under Sections 489(C), 120(b), 489(A), 489(B), 489(C) and 489(D) of IPC.

2. There are totally four accused in this case. The petitioners herein are arrayed as A1 to A3. The case of the prosecution is that first petitioner/A1 in this case tried to exchange Rs.2000/- counterfeit currency note in the vegetable shop at Aranthangi and suspecting the same the owner of the shop gave complaint before the respondent police. Based on the same the petitioners were arrested.



3. The learned Government Advocate(Crl.Side) would submit that the first petitioner/A1 in this case tried to exchange Rs.2000/- counterfeit currency note in the vegetable shop and subsequently based on his confession Rs.7,00,000/- counterfeit currency note was recovered from A1 and Rs.55,000/- counterfeit currency note was recovered from A4 and apart from that A1 is having four previous cases for various offences.

4. The learned counsel for the petitioners would submit that the petitioners are innocent and they have only accompanied in the car driven by A1. He would also submit that the counterfeit currency notes was seized from A1 and so far as other previous cases are concerned they ended in acquittal. He would also submit that the petitioners are in jail for nearly 49 days and hence they may be granted bail.

5. Taking note of the above facts and circumstances of the case and also taking note of the fact that A2 and A3 only accompanied A1 in his car and no amount has been recovered from them and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioners 2 and 3 subject to the following conditions:

6.Accordingly, the petitioners 2 and 3 are ordered to be released on bail on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Pudukottai, Pudukkottai District.

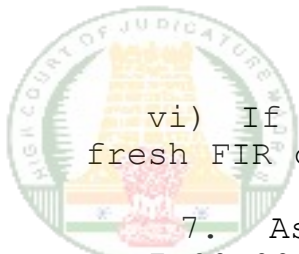
i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioners 2 and 3 shall report before the respondent police on every Monday at 10.30 a.m until further orders.

iii)the petitioners 2 and 3 shall not tamper with evidence or witness.

iv) the petitioners 2 and 3 shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 2 and 3 in accordance with law as if the conditions have been imposed and the petitioners 2 and 3 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].



vi) If the petitioners 2 and 3/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

7. As regards the first petitioner/A1 since a sum of Rs.7,00,000/- counterfeit currency notes was recovered from him, this Court is not inclined to grant bail to A1. Hence the petition stands dismissed in respect of A1 alone.

sd/-
29/07/2020

/ TRUE COPY /

/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
PUDUKOTTAI, PUDUKOTTAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6705 of 2020
Date :29/07/2020

AAV
JM/VR/SAR 3/29.07.2020/3P/6C