



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

Date : 12/08/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.8389 of 2020

Rajalingam @ Duraipandi

... Petitioner/1st Accused

Vs

State Rep.by
The Inspector of Police,
Pavoorchatram Police Station,
Tirunelveli District.
Crime No.399 of 2020

... Respondent/Complainant

For Petitioner : M/s.D.Venkatesh,
Advocate.

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

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

PRAYER :-

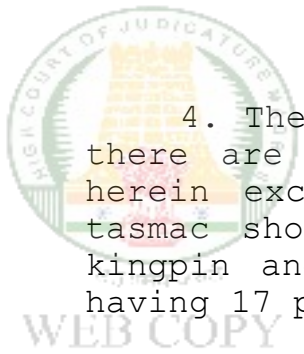
For Bail in Crime No. 399 of 2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1 herein was arrested and remanded to judicial custody on 22.07.2020 for the alleged offences under Sections 489 (B), 489(C) and 420 of IPC.

2. There are totally seven accused in this case. The petitioner herein is arrayed as A1. The case of the prosecution is that A1 and A2 in this case tried to purchase liquor from the tasmac shop by giving Rs.100/- counterfeit currency notes in two numbers. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in the above case. He would also submit that with out knowledge about the counterfeit currency notes they have used the same. He would also submit that the counterfeit currency notes were recovered from A3 only and he has only given the fake currency notes to the petitioner herein, hence



4. The learned Government Advocate (Crl.Side) would submit that there are totally seven accused in this case and the petitioner herein exchanged Rs.100/-(two notes) counterfeit currency in the tasmac shop to buy liquor. He would also submit that A3 is the kingpin and he had supplied fake currency notes and he is also having 17 previous cases against him.

5. Taking note of the above facts and circumstances of the case and also taking note of the fact that the petitioner herein has used the counterfeit currency notes given to him by A3 and the recovery also made from A3 and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi

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 petitioner shall report before the respondent police on every Monday at 10.30 a.m until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner 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 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].

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

sd/-

12/08/2020

/ 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



TO

1. THE JUDICIAL MAGISTRATE, TENKASI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL,
AMBASAMUTHIRAM.
4. THE INSPECTOR OF POLICE,
PAVOORCHATRAM POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.8389 of 2020

Date :12/08/2020

MS/AKM/SAR-2/12.08.2020/3P.6C