



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/08/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.8548 of 2020

Muthukrishnan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
In Crime No.436/2020

... Respondent/Complainant

For Petitioner : Mr.D.Sasikumar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.436 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent police for the offences punishable under section 489 (B) of IPC, in Crime No.436 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has deposited a sum of Rs.61,000/- (Rupees Sixty One Thousand only) in the Axis Bank Cash Deposit Machine at Sowkathali Street, Paramakudi. One Praveen Kumar attached to the cash filing Agency, While he was collecting the money from Cash Deposit Machine, it was found that a sum of Rs.10,000/- (Rupees Ten Thousand only) to be a counterfeit currency notes. Based on the complaint given by the Manager of the Axis Bank, the crime has been registered against the petitioner.



3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned counsel appearing for the petitioner submitted that the petitioner was running a Hard Wares store at Paramakudi Town. He further submitted that on 06.08.2020, one Akbar has purchased paint materials worth about Rs.65,000/- from him on payment of cash. Thereafter, the petitioner has deposited a sum of Rs.61,000/- in the Axis Bank Cash Deposit Machine. He further submitted that the petitioner was not aware of the counterfeit of the said currency notes. Hence, he prayed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the investigation has been commenced and only after enquiry the custodial interrogation of the petitioner is absolutely necessary to find out, whether the petitioner is a bona fide receiver or some other customer has handed over the money of the counterfeit currency notes to the petitioner. Hence, he prayed for dismissal of this petition.

6. Considering the facts and circumstances of the case and also considering the submissions of the learned Government Advocate (Crl. Side) that the custodial interrogation of the petitioner is necessary to find out the truth whether the petitioner is a bona fide receiver and a customer has handed over the money of the counterfeit currency notes to the petitioner or he has a knowledge about the same. Therefore, if anticipatory bail granted in favour of the petitioner, the process of investigation will be prejudiced. Hence, I am not inclined to grant anticipatory bail to the petitioner.

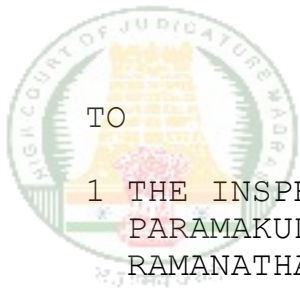
7. Accordingly, this criminal original petition is dismissed.

sd/-
28/08/2020

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/ /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 INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL OP (MD) No.8548 of 2020

Date :28/08/2020

MS/VR/SAR-2/01.09.2020/3P.3C