

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P.No.19100 of 2020

G.Madan Lal

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Vadavalli Police Station,
Coimbatore District.
(Crime No.1919 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.1919 of 2020 pending on the file of the respondent.

For Petitioner : Ms.V.Geetha Rani

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner apprehends arrest at the hands of respondent police for the offence punishable under Sections 489 B ad 489 C of I.P.C. in Crime No.1919 of 2020 and now, he has filed the above petition seeking for anticipatory bail.

2. The case of the prosecution is that one Hidesh Anand has deposited some amount in the bank, in which, it was found that 40 numbers of Rs.500/- of the notes are counterfeit currency. Hence, the Assistant Manager of the Bank has given a complaint. Based on that, the criminal case has been registered, and that person was arrested. The arrested accused has given a confession statement stating that he has received the currency notes from the petitioner. Now, apprehending arrest, the present petition has been filed seeking to grant anticipatory bail.

3. Today, when the matter taken up for hearing, the learned Additional Public Prosecutor submitted that based on the

petitioner for enquiry and the petitioner was directed to appear for enquiry. In pursuant to the same, he has appeared and his statement was recorded by the respondent police, wherein the petitioner said to have stated that he has received the amount from some other person and the enquiry is still pending. Till date, the petitioner was not arrayed as accused.

4. Taking into consideration of the submissions made by the learned Additional Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

a) Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Udhagamandalam, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, and on further condition that:

[b] 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;

[c] the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

5. With the above directions, this Criminal Original Petition is ordered.

-sd/-

21/01/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
UDHAGAMANDALAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
NILGIRIS [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VADAVALLI POLICE STATION,
COIMBATORE DISTRICT.

+1 CC to M/S.V.GEETHA RANI Advocate on payment of necessary charges SR NO. 674

सत्यमेव जयते

CRL OP.19100/2020

Date :21/01/2021

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MN-25/01/2021