

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

Crl.O.P.No.19511 of 2020

S.Raghavendran

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
E-2, Peelamedu Police Station,
Coimbatore.
(Crime No.2100/2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.2100 of 2020 on the file of the respondent.

For Petitioner : Mr. M.Saravana Kumar

For Respondent : Mr.M.Prabhavathi

ORDER

(The case has been heard through video conference)

Petitioner, who was arrested and remanded to judicial custody on 29.10.2020 for the offence punishable under Sections 489 (C) and 489(D) of IPC in Crime No.2100 of 2020, seeks bail.

2. Totally there are 2 accused in this case and the petitioner is A2. The case of the prosecution is that on 29.10.2020, in connection with a girl missing case, the defacto complainant along with police team conducted search in the house of one Ranajithkumar, wherein they found 368 numbers of 2000 rupees counterfeit currency notes. Hence, a case has been registered against the petitioner and other person.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and only based on the confession of A1, he has been implicated in this case. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that 368 numbers of Rs.2000/-

counterfeit currency notes were found place in the house of one Ranjithkumar. She would further submit that investigation in this case has been completed and co-accused in this case has already been released on bail. However, she opposed to grant bail to the petitioner.

5. Considering the said facts and circumstances of the case and the fact that investigation has been completed, and co-accused in this case has already been released on bail and considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Coimbatore, and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall report before the Judicial Magistrate-II, Coimbatore, daily at 10.30 a.m. on all working days until further orders.

(d) the petitioner shall not commit any offences of similar nature;

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

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

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

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

-sd/-

04/02/2021

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 - II,
COIMBATORE.

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

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
E-2, PEELAMEDU POLICE STATION,
COIMBATORE.

5 THE OFFICER INCHARGE,
SUB JAIL, PERUNDURAI,
ERODE DISTRICT.

+CC to M/S M. SARAVANA KUMAR Advocate on payment of necessary charges

WEB COPY

CRL OP.19511/2020

Date :04/02/2021

MN-05/02/2021