



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21357 of 2021

1 SIVAGURU
2 SOUNDARAJAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
MANNARGUDI TOWN POLICE STATION,
TIRUVARUR DISTRICT
(CRIME NO.566/2021)

[RESPONDENT]

For Petitioner : M/S SWAMISUBRAMANIAN Advocate

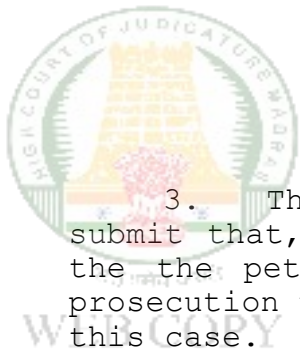
For Respondent : MR.N.S.SUGANTHAN, Counsel for Government Advocate,
(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the offences under Section 489 (B) of IPC in Crime No.566 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the 1st petitioner gave Rs.2000/- fake currency note to the defacto complainant for purchase of clothes worth about Rs.1000/- and also received the balance from the defacto complainant. While de-facto complainant's brother in law tried to change the note in petrol bunk, he knows Rs.2,000/- note is fake one. Further, he lodged the complaint against the petitioners in respondent police. Hence, the complaint.



3. The learned counsel appearing for the petitioners would submit that, the petitioners are falsely implicated in this case and the the petitioners did not commit any offence as alleged by the prosecution with an ulterior motive, the defacto complainant has filed this case.

4. The learned Government Advocate(crl.side) would submit that the petitioners have involved in the said offence by using the fake currency note to purchase the clothes worth Rs.1,88,000/- and the said fake currencies notes were recovered from the A1.

5. Considering the nature of the case, the A1/co-accused already arrested and remanded and thereafter, he got bail. Since investigation is almost completed. Hence, this Court inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are 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 Judicial Magistrate No.I, Mannargudi, Thiruvarur District, on condition that the petitioners shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and 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;

(b) the petitioners shall report before the respondent police on every Monday and Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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]; and;



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

WEB COPY

-sd/-

16/11/2021

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,
NO.I, MANNARGUDI, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MANNARGUDI TOWN POLICE STATION,
TIRUVARUR DISTRICT.

CC to M/S SWAMISUBRAMANIAN Advocate on payment of necessary charges

CRL OP.21357/2021

Date :16/11/2021

RW 19/11/2021