



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.22032 of 2021

Sathish

...Petitioner

Vs.

The State Represented by
The Inspector of Police,
Magudanchavadi Police Station,
Salem District.
Crime No.459 of 2021

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.459 of 2021 on the file of the Magudanchavadi Police Station, Salem District.

For petitioner : Mr.D.Shivakumar

For Respondent : Mr.N.S.Suganthan
Government Advocate
[CRL.O.P.No.22032 OF 2021]

MR.A.GOKULAKRISHNAN,
Additional public Prosecutor
[CRL.MP.No.13154 OF 2021]

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 25.10.2021 for the offence under Sections **(*)489(A), 489(B) and 489(C)** of IPC, in Crime No.459 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 24.10.2021 at about 13.00 hours, while the respondent police were on regular patrol duty, the petitioner along with the other accused was found in possession of counterfeit notes. Hence the complaint.



3. The learned Counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and he would further submit that the petitioner has been suffering incarceration for more than 25 days from 25.10.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate raised objection stating that there are totally 3 accused involved in this case and the petitioner is arrayed as A1 and the other two accused/A2 and A3 have also been arrested and they are also in Judicial custody and that the investigation is almost completed.

5. Considering the facts and circumstances of the case and the fact that the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Sankari and on further conditions that:

(a) 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;

(b) the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m. until further orders.

(c) the petitioner shall not tamper with evidence or witness during trial;

(d) the petitioner shall not abscond during trial;

(e) 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]; and;



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

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23/11/2021

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.

(*) AMENDED AS PER ORDER OF THIS COURT DATED 08/12/2021 MADE IN CRL.MP.No.13154 OF 2021 IN CRL.O.P.No.22032 OF 2021

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, SANKARI, SALEM DISTRICT.

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

3 THE SUPERINTENDENT,
CENTRAL JAIL, SALEM.

4 THE INSPECTOR OF POLICE,
MAGUDANCHAVADI POLICE STATION,
SALEM DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.D.SHIVAKUMAR Advocate on payment of necessary charges SR.NO.14330

CRL OP.22032/2021

Date :23/11/2021

RW 23/11/2021

JPA 08/12/2021