



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM:

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

Crl.O.P.No.25440 of 2021

Ramamoorthy @ Moorthy

... Petitioner

Vs.

State rep by the Inspector of Police,
Gudiyatham Town Police Station,
Gudiyatham, Vellore District.
(Crime No.428 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.428 of 2021 on the file of the Inspector of Police, Gudiyatham Town Police Station, Gudiyatham, Vellore District.

For Petitioner : Mr.G.Vinodhkumar

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 27.11.2021 for the offences under Sections 120-B, 420, 465, 468, 489D IPC in Crime No.428 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons created fake Indian currency notes. Hence, the complaint.

3. The learned Counsel for the petitioner submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the co-accused already enlarged on bail by the trial court and that the petitioner has been suffering incarceration for more than 25 days from 27.11.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would raise objection stating that the investigation was almost completed.



5. On seeing the facts and circumstances of the case and also considering the fact that the co-accused enlarged on bail and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with conditions

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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 learned Judicial Magistrate, Gudiyatham, 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 daily at 10.30 a.m. until further orders.

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

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

(e) the petitioner shall not have any communication with defacto complainant and victim girl.

(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]; and;



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

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-sd/-

23/12/2021

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,
GUDIYATHAM

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
GUDIYATHAM TOWN POLICE STATION,
GUDIYATHAM, VELLORE DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

CC to Mr.G.Vinodhkumar Advocate on payment of necessary
charges SR.15508

CRL OP.25440/2021

Date :23/12/2021

RVR 23/12/2021