



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02/06/2021

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). Nos.7111 and 7113 of 2021

Varalakshmi ... Petitioner/Petitioner/Accused No.1
in Crl.O.P(MD) No.7111 of 2021

Ashok Kumar ... Petitioner/Accused No.2
in Crl.O.P(MD) No.7113 of 2021

Vs

State Rep. by
The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
Crime No.148/2021.

... Respondent/Respondent/Complainant
in Crl.O.P(MD) No.7111 of 2021

... Respondent/Complainant
in Crl.O.P(MD) No.7113 of 2021

(In Crl.O.P(MD) No.7111 of 2021)

For Petitioner : Mr.Santhanam.V.,
Advocate.

For Respondent : Mr.Muthumanickam,
Government Advocate (Crl.Side)

(In Crl.O.P(MD) No.7113 of 2021)

For Petitioner : Mr.Thiruvadikumar.A,
Advocate.

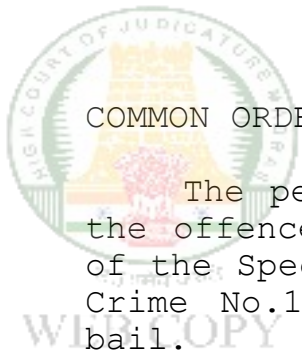
For Respondent : Mr.Muthumanickam,
Government Advocate (Crl.Side)

PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :-

For Bail in Crime No.148 of 2021 on the file of the respondent
police

<https://hcservices.ecourts.gov.in/hcservices/>



COMMON ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested on 12.04.2021 for the offences punishable under Section 420,511 of IPC and Section 7 of the Specified Bank Notes(Cessation of liabilities) Act 2017, in Crime No.148 of 2021 on the file of the respondent police, seek bail.

2.It is seen from the submission that on 11.04.2021 at about 19.00 hours, while the respondent police doing routine work, they have seen the accused persons near the Church at Valayampatti Village with suspicious situation, when they were enquired, it reveals that, the accused Nos. 1 and 2 possessed the banned Indian Currency notes with an intention to change the new currency from accused No.3 Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners only made an attempt to exchange the old currency notes hence the offence under Section 420 of IPC would not attract against the accused persons and the offence under section 7 of the Specified Bank Notes(Cessation of liabilities) Act 2017 is bailable in nature. He further submitted that the petitioners were in judicial custody from 12.04.2021, hence they seek bail.

4.The learned Government Advocate (Crl.Side),on instructions, submitted that the petitioners along with other accused possessed the banned Indian Currency notes, amounting to Rs.4,00,80,000/-. He further submitted that for A1 this is the second bail petition and the earlier petition was dismissed by this Court on 12.05.2021. He further submitted that the investigation is in preliminary stage. Therefore, he strongly opposed to grant bail to the petitioners.

5.Considering the facts and circumstances of the case and also the fact that the investigation is in preliminary stage and the fact that the amount involved is more than Rs 4 crores, this Court is not inclined to grant bail to the petitioner. Accordingly, these Criminal Original Petitions are dismissed.

sd/-
02/06/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic,
<https://hcservices.courtsofmadras.gov.in/hcservices.html> the order may be utilized for official purposes, but,



ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, MADURAI.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) . Nos.7111
and 7113 of 2021
Date :02/06/2021

AAV
JM/VR/SAR I/04.06.2021/3P/5C