



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/01/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.15632 of 2020

T.Vigneshkumar

...Petitioner/Accused No.4

Vs

State through
The Inspector of Police,
Koodal Pudur Police Station,
Madurai District.
Crime No.1730 of 2020

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugan, Advocate.

For Respondent : Mr.R.Srinivasan,
Government Advocate(Criminal Side)

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

PRAYER :-

For Bail in Crime No. 1730 of 2020 on the file of the respondent police.

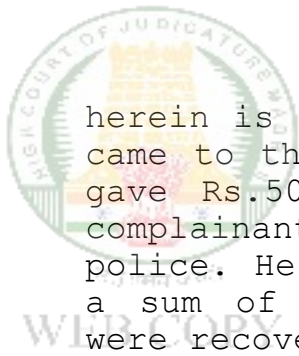
ORDER : The Court made the following order :-

The petitioner/accused No.4, who was arrested and remanded to judicial custody on 26.11.2020 for the offences punishable under Sections 489 B of IPC, on the file of the respondent police seeks bail.

2.The case of the prosecution is that the defacto complainant is running a grocery shop at Melapanangadi and on 24.11.2020, A1 came to the shop of the defacto complainant for purchasing oil and gave Rs.500/- currency note, which was suspected by the defacto complainant, for which he had handed over A1 to the respondent police. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would also submit that A1 in this case is the prime accused and based on the confession given by him this petitioner has been implicated. He would also submit that the petitioner is in jail from 26.11.2020

4.The learned Government Advocate(Crl.Side) would submit that there are totally five accused in this case and the petitioner



herein is arrayed as A4. He would also submit that on 24.11.2020 A1 came to the shop of the defacto complainant for purchasing oil and gave Rs.500/- currency note, which was suspected by the defacto complainant, for which he had handed over A1 to the respondent police. He would also submit that from Kadar Batcha and Gurumoorthy a sum of Rs.1,00,000/- and Rs.19,000/- counterfeit currency-notes were recovered.

5. Considering the nature of the charges leveled against the petitioner and also the facts that no amount has been recovered from the petitioner/accused that the petitioner is not having previous case for similar offence as stated by the prosecution and that the co-accused in this case were already granted anticipatory bail by this Court and also the fact that the petitioner is in judicial custody from 26.11.2020, this Court is inclined to grant bail to the petitioner subject to the following 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 No.IV, Madurai.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
11/01/2021

/ TRUE COPY /

/ /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, a web copy of 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.

WEB COPY

TO

- 1.THE JUDICIAL MAGISTRATE No.IV, MADURAI.
- 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4.THE INSPECTOR OF POLICE,
KODAL PUDUR POLICE STATION,
MADURAI DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15632 of 2020
Date :11/01/2021

DAS
TK/PN/SAR.2/11.01.2021/3P/6C