



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V.KARTHIKEYAN

CRIMINAL ORIGINAL PETITION Nos.11037 & 12817 of 2022

KAJA NAJMUDDIN

[PETITIONER / ACCUSED
IN CRL.OP.No.11037/2022]

AMARNATH

[PETITIONER / ACCUSED
IN CRL.OP.No.12817/2022]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
S4, POLICE STATION,
NANDAMBAKKAM,
CRIME NO.55 OF 2022.

[RESPONDENT / COMPLAINANT
IN BOTH PETITIONS]

For Petitioner : M/S. S.BAZEERAHAMED Advocate
[IN CRL.OP.No.11037/2022]

M/S.K.RAGUNATH, Advocate
[IN BOTH PETITIONS]

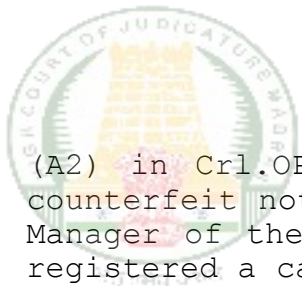
For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor
[IN BOTH PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who are arrayed as A2 & A3 out of three accused and who were arrested on 19.4.2022 and 20.04.2022 respectively for the alleged offences punishable under Sections 498(B) and 489(E) of IPC in Crime No.55 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner (A3) in Crl.OP.No.11037 of 2022 has deposited (18 Nos. X Rs.500/-) counterfeit notes in Cash deposit Machine (CDM) and the petitioner



(A2) in CrI.OP.No.12817 of 2022 has deposited (40 Nos. X Rs.500/-) counterfeit notes in CDM. Based on the complaint lodged by the Branch Manager of the HDFC Bank, Nandambakkam Branch, the respondent police registered a case against the petitioners along with other accused.

3. The learned counsel for the petitioners submitted that they are innocent and they have nothing to do with the alleged offences and a false case has been registered against the petitioners. They are in judicial custody for more than 40 days. The learned counsel prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that there are three accused in this case. The petitioners are arrayed as A2 & A3 and they have deposited the above mentioned counterfeit notes in CDM. There are three cases pending against A3. The accused persons have already moved bail before the Court below and the same was dismissed. Therefore, he vehemently opposed to grant bail to the petitioners.

5. Taking into consideration the period of incarceration already suffered by the petitioners, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing separate 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.I, Alandur, and on further condition 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 petitioners shall report before the respondent police daily at 10.30 am., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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 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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
01/06/2022

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, ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
S4, POLICE STATION,
NANDAMBAKKAM,

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

5 THE OFFICER INCHARGE
SUB JAIL, SAIDAPET, CHENNAI.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.BAZEERAHAMED Advocate on payment of necessary charges SR.NO.8289

+1 CC to M/S.K.RAGUNATH Advocate on payment of necessary charges SR.NO.8275

CRL Ops.11037 & 12817/2022

Date :01/06/2022

JPA 01/06/2022