



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Second day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.13044 of 2022

MEHATHAB ALI

[PETITIONER / ACCUSED]

Vs

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

[RESPONDENT]

For Petitioner : M/S. R.PARTHIBAN Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

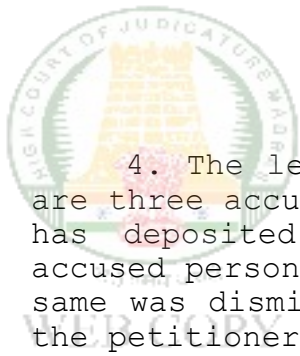
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 13.04.2022 for the alleged offences punishable under Sections 489B and 489E of IPC in Crime No.55 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner has deposited counterfeit notes to the tune of Rs.14,000/- 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 petitioner along with other accused.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he is nothing to do with the alleged offences and a false case has been registered against the petitioner. It is further submitted that the petitioner is in judicial custody for more than 40 days. The learned counsel prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor submitted that there are three accused in this case. The petitioner is arrayed as A1 and he has deposited the above mentioned counterfeit notes in CDM. 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 petitioner.

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

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 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 petitioner shall report before the respondent police daily at 10.30 am., until further orders.

(c) the petitioner shall not abscond either during investigation or trial.

(d) the petitioner 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 shall be 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.3

-sd/-

02/06/2022

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,
NANDAMBAKKAM POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. R.PARTHIBAN Advocate on payment of necessary
charges SR.NO.8384

CRL OP.13044/2022

Date :02/06/2022

JPA 02/06/2022