



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2022

CORAM:

THE HON'BLE MR. JUSTICE A.A.NAKKIRAN

CrI.O.P.No.13585 of 2022

A. Arul

.. Petitioner

Vs.

State rep by the
Inspector of Police,
Thiruvarur Town Police Station,
Thiruvarur District.
(Cr.No.154 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to release the petitioner on bail in Crime No.154 of 2022 on the file of the respondent.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.Meganathan
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.04.2022 for the offence under Sections 489-B, 489-C and 420 of IPC in Crime No.154 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is a labour working under the petitioner and the petitioner had given a five hundred rupees note to the defacto complainant towards his wage. Later when he tried to use the said note, he found that it is a counterfeit note. Hence, the petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and a false case has been foisted against him. He further submits that there is no previous case against the petitioner. He further submits that A2 and A3 were already released on bail in CrI.M.P.No.803 of 2022 dated 15.06.2022. He would also submit that the petitioner has been suffering incarceration from 12.04.2022. Hence, he prays for grant of bail to the petitioner.



4.The learned Government Advocate (Crl.Side) for the respondent police would submit that totally there are six accused and the petitioner/A1 is the prime accused and A6 is still absconding. A2 and A3 were released on bail. The investigation is pending. He vehemently opposed to grant bail to the petitioner.

5.Considering the above facts and circumstances of the case, period of incarceration and that A2 and A3 were already released on bail, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvarur 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 once in a week i.e., on every Monday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation.

[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 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.

-sd/-

22/06/2022

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.



1 THE JUDICIAL MAGISTRATE,
THIRUVARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUVARUR TOWN POLICE STATION,
THIRUVARUR DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT PRISON, THIRUVARUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.P.MUTHAMIZHSELVAKUMAR Advocate on payment of
necessary charges SR.No.9718

CRL OP.13585/2022

Date :22/06/2022

CSK 22/06/2022