



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/02/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.3365 of 2022

M.Ramki

... Petitioner/1st Accused

Vs

State Rep.by
The Sub-Inspector of Police,
Marthandam Police Station,
Kanyakumari District.
(Crime No.697 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Levis Senthil Kumar,
Advocate.

For Respondent : Mr.R.Sureshkumar
Government Advocate

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

PRAYER :-

For Bail in Crime No.697 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 12.12.2021 for the alleged offence under Sections 489 (B) and 489(C) of IPC in Crime No.697 of 2021, on the file of the respondent police, seeks bail.

2.The allegation against the petitioner is that he tried to change counterfeit currency note in a TASMAL shop. Hence, a case in Crime No.697 of 2021 was registered against the petitioner. He was arrested and remanded to judicial custody.

3.On the side of the petitioner, it is stated that the petitioner is working under A2. A2 gave the salary in the form of ten 200 rupees notes. The petitioner is not aware that the notes are counterfeit notes. The petitioner is not having the knowledge that the notes are counterfeit currency. The petitioner did not evade the arrest and he did not try to run away when the notes being checked



in the machine. The petitioner is in custody for the past 70 days. Already major portion of the investigation was over and prayed the petitioner to be released on bail.

4. On the side of the respondent, it is stated that the defacto complainant is the Supervisor in a TASMACH shop. On 11.12.2021 at about 9.30 p.m., when the petitioner was trying to buy alcohol by using counterfeit currency note he was caught hold of by the Supervisor of the TASMACH shop and he was handed over to the respondent police. Ten counterfeit notes were seized from the petitioner. The salary for the petitioner is only Rs.1,000/-., but, he had accepted Rs.2,000/- fake notes, knowing fully well that they are fake notes, with a motive to earn more money. The investigation is pending. The other materials ought to be recovered. A2 is still absconding. Informations regarding the manufacturer are to be collected.

5. It is seen that charge sheet in this case was not yet filed. The petitioner is in custody for the past 70 days. Major portion of the investigation ought to have been completed by this time. In the above circumstances, this Court is inclined to grant bail to the petitioner with conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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, Kuzhithurai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
18/02/2022

/ TRUE COPY /

/02/2022
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.



TO

1 THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE SUB INSPECTOR OF POLICE
MARTHANDAM POLICE STATION,
KANYAKUMARI DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.Levis Senthil Kumar, Advocate SR.No.1312 dated
21.02.2022

ORDER

IN

CRL OP(MD) No.3365 of 2022

Date :18/02/2022

RS/PN/SAR.2 (18.02.2022) 3P-7C