



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/10/2022

PRESENT

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The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.18504 of 2022

Sankar Karthick

... Petitioner/Accused No.3

Vs

The State Rep. By,
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.
(Crime No.547 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Selvan T, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.547 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 11.09.2022 for the offence punishable under sections 489A, 489B, 489C IPC in Crime No. 547 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to rival motive, A1 went to the hotel of the defacto complainant and take food and after that, he gave a fake currency of Rs.500/- for bill. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that based on the confession of A1, this petitioner was impleaded in this case. This is the second bail petition. The co-accused were released on bail. Hence, seeks bail.



4. On the side of prosecution, it is stated that in this case most part of the investigation was completed and the co-accused were already enlarged on bail. Considering the gravity of offence, prayed to dismiss the petition.

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5. Considering the facts and circumstances of the case, that the co-accused were already enlarged on bail, that the major part of investigation was completed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 Judicial Magistrate No.I, Tirunelveli.

(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 appear before the respondent Police, daily at 10:30am, until further orders;

(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/-
18/10/2022

/ TRUE COPY /

18/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI CITY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18504 of 2022
Date :18/10/2022

pnm
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