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Crl.O.P.No.10069 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2023

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.10069 of 2023

P.Sudhakar

... Petitioner/A1

Vs.

State Rep by
The Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
(Crime No.124 of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with the case in Crime No.124 of 2023 pending investigation on the file of the respondent police.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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Crl.O.P.No.10069 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.04.2023 for the offences punishable under Section 489(b) of IPC in Crime No.124 of 2023 on the file of the respondent police, seeks bail

2. The case of the prosecution is that on 10.04.2023 around 3.00 p.m. one Veeraputhiran, who is working as Senior Manager, Indian Overseas Bank, Chidambaram lodged a complaint against the petitioner alleging that in the amount deposited by the petitioner and A2, it was found that 100 rupees and 500 rupees notes were fake. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner was working in the petrol bunk. After closing their bunk, the petitioner deposited the money to the bank account, in which some of



Crl.O.P.No.10069 of 2023

100 rupees and 500 rupees notes were fake notes. He further submitted that there is no previous case pending against the petitioner. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the above fact and circumstances of the case and also the period of incarceration of the petitioner from the date of his arrest i.e. on 11.04.2023, 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 No.II, Chidambaram 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.



Crl.O.P.No.10069 of 2023

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks, 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.

04.05.2023

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Crl.O.P.No.10069 of 2023

WEB COPY

To

- 1.The Judicial Magistrate No.II, Chidambaram.
- 2.The Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
- 3.The Superintendent, Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras, Chennai



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Crl.O.P.No.10069 of 2023

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.10069 of 2023

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