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CrI.OP.No.22952 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.OP.No.22952 of 2023

Ubais Ali,
S/o.Abdul Ajies

...Petitioner/A1

Vs.

State rep. by
The Inspector of Police,
Mettur Police Station,
Salem.
(Crime No.158 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.158 of 2023
pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Rajan

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.08.2023 for the offence punishable under Sections 489(C) IPC altered to Sections 489(C), 489(D), 489(E) of IPC in Crime No.158 of 2023 on the file of the respondent police, seeks bail.

2.The petitioner is arrayed as A1 in this case.

3.The case of the prosecution is that the petitioner had tendered fake currency note, while purchasing chicken. Hence the case was registered against the petitioner.

4.The learned counsel for the petitioner submitted 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.

5.It is stated by the respondent that the petitioner had obtained the said currency note from A2 and A3. It is also stated that the investigation



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at a preliminary stage. It is stated that the petitioner was not the source of fake currency note. It is also stated that A2 and A3 had been granted bail.

6.It is also seen that, it had been noted in the earlier bail application that A3 has Printer Machine, Xerox Machine and Laser Printer. But the Investigation Agency has not seized any of those machines. I am not able to understand the manner in which the investigation is being conducted.

7. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner subject to the following conditions.

8. 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 Principal Sessions Judge, Salem 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.



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[b] the petitioner shall report before the respondent police everyday morning at 10.30.a.m. and evening at 05.30 p.m., 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 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.

06.10.2023

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To

1.The Principal Sessions Judge, Salem

2.The Central Prison,
Salem

3.The Public Prosecutor,
High Court of Madras



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C.V.KARTHIKEYAN. J.

Smv

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