



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

Wednesday, the Fifteenth day of February Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.2800 of 2023

J.Naveenkumar

... Petitioner/Accused 5

Vs

State through,
The Inspector of Police,
Virudhunagar West Police Station,
Virudhuangar District.
Crime No.4/2023.

... Respondent/Complainant

For Petitioner : M/s.Vijayarathinam M,

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.4/2023 on the file of the Respondent
Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to
judicial custody on 09.01.2023, for the offence punishable under
Section 489(B) of I.P.C in Crime No. 4 of 2023, on the file of the
respondent police, seeks bail.

2.The case of the prosecution as per the defacto
complainant is that on 06.01.2023, the first and second accused have
purchased fruits from the fruit shop of the defacto complainant, by
giving Rs.500/- counterfeit note. On suspicion, the defacto
complainant and nearby shoppers handed over the fake notes and A1,
A2 to the respondent Police. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case, based on the confession of A1. A1 and A2 have already been granted bail by the order of the learned Sessions Judge, Srivilliputtur in Cr.M.P.No.434 of 2023, dated 31.01.2023. The petitioner is in judicial custody from 09.01.2023. Hence, prays to release the petitioner on bail.

4. The learned Additional Public Prosecutor would submit that the petitioner is the main accused in this case and arrayed as A5. He is the person, who had handed over the counterfeit notes to other accused persons and circulated the same in the market. Based on the confession of A1, search was conducted and 556 counterfeit notes of Rs.500/- denomination were recovered from the petitioner. He is a kingpin in the occurrence and the investigation is in nascent stage. The source for counterfeit notes has to be traced. Hence, prays to dismiss the petition.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the facts and circumstances of the case, it is a case, where 556 counterfeit notes of Rs.500/- were recovered from the petitioner. Though the learned counsel for the petitioner submitted that A1, A2 were already enlarged on bail, in respect of A1 is concerned only one counterfeit note and from A2 only two counterfeit notes were recovered, the petitioner cannot claim bail on the ground of parity. Hence, considering the gravity of the offence and the nascent stage of investigation, this Court is not inclined to grant bail to the petitioner.

7. In view of the above, this Criminal Original Petition stands dismissed.

sd/-
15/02/2023

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/02/2023

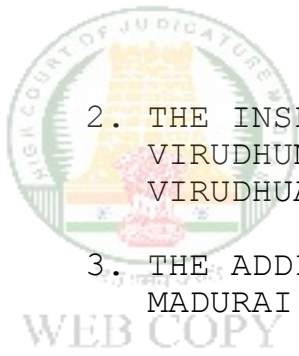
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1 THE OFFICER IN-CHARGE,
SUB-JAIL, VIRUDHUANGAR.

<https://www.mhc.tn.gov.in/judis>



2. THE INSPECTOR OF POLICE,
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUANGAR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.2800 of 2023

Date :15/02/2023

NA/BUC/SAR-2/23.02.2023/3P/4C