



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/02/2023
PRESENT

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

CRL OP(MD) . No.3571 of 2023

Arun

... Petitioner/Accused No.4

Vs

The State rep.by
The Sub Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
Crime No. 04 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Surya.S,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

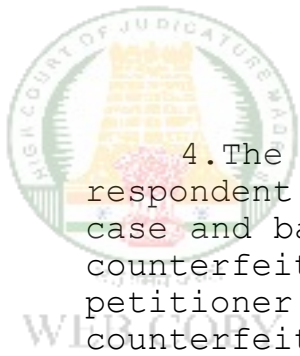
PRAYER :- For Bail in Crime No.04 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 09.01.2023 for the offence punishable under Sections 489 (A) 489 (B) 489(C) and 489(D) of IPC, in Crime No.04 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the de-facto complainant is that on 06.01.2023, the first and second accused have purchased fruits from the fruit shop of the de-facto complainant, by giving Rs.500/- counterfeit currency note. On suspicion, the de-facto complainant and nearby shoppers handed over the fake currency notes and A1 and A2 to the respondent police. Based on the confession given by A1, the petitioner along with other accused have been arrayed as accused in this case. Hence, the case.

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, Sriviliputtur in Cr.M.P.No.434 of 2023, dated 31.01.2023. The petitioner is in judicial custody from 09.01.2023. Hence he would seek for bail.



4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is arrayed as A4 in this case and based on the confession of A1, search was conducted and 400 counterfeit notes of Rs.500/- denomination were recovered from the petitioner and the investigation is in nascent stage. The source for counterfeit notes has to be traced. Hence, he would object for grant of bail.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration of the facts and circumstances of the case, it is a case, where 400 counterfeit notes of Rs.500/- were recovered from the petitioner. Though the learned counsel for the petitioner submitted that A1 and 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/-

23/02/2023

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/02/2023

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

SJI

TO

- 1 THE SUB INSPECTOR OF POLICE,
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.3571 of 2023

Date :23/02/2023

SA/SAR.2/07.03.2023/2P/4C