



WEB COPY



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

Date : 14/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4789 of 2023

Arun

... Petitioner/Accused No.4

Vs

The State represented 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.R.M.ANBUNITHI,
Additional Public Prosecutor(CRL.SIDE)

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. Heard both sides and perused the materials available on record including the First Information Report.



4. Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Virudhunagar 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.

[b] the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as non refundable deposit by way of Demand Draft/RTGS/NEFT to the **credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, Madurai-625 023 (Indian Bank Saving Account No.496039124, IFSC Code: IDIB000H040)**, and shall produce the receipt before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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]

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

14/03/2023

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14/03/2023

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



1. THE JUDICIAL MAGISTRATE NO. I
VIRUDHUNAGAR

2. DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3. THE INSPECTOR OF POLICE
THE SUB INSPECTOR OF POLICE, VIRUDHUNAGAR
WEST POLICE STATION, VIRUDHUNAGAR DISTRICT.

4. THE OFFICER INCHARGE
SUB JAIL, VIRUDHUNAGAR.

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

COPY TO:

THE OFFICER INCHARGE
ADVOCATE CLERKS WELFARE ASSOCIATION, MADURAI
BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SURYA S Advocate SR.No.4114

ORDER
IN
CRL OP (MD) No.4789 of 2023
Date :14/03/2023

SS/SBN/SAR /14/03/2023/3P/8C