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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.11156 of 2024

Jeeva @ Jeevajothi

... Petitioner/ Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Periyakulam Police Station,
Theni District.
Crime No.104 of 2024.

... Respondent/Complainant

For Petitioner : Mr.S.Vikram,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Criminal Side)

PRAYER :- For Bail in Crime No.104 of 2024 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 21.05.2024 for the offences punishable under Sections 489(B) and 489 (C) I.P.C @ Sections 489 (B), 489 ©, 417 and 420 IPC, in crime No.104 of 2024 on the file of the

<https://www.mhc.tn.gov.in/judis>
respondent police, seeks bail.



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2.The case of the prosecution is that on 21.05.2024, at about 12.20 pm, the accused were tried to deposit counterfeit currency into the Bank.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 21.05.2024, hence she may be released on bail.

4.The learned Government Advocate (Crl. side) would submit that co-accused in this case was already released on bail and the investigation is yet to be completed. Hence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case and also considering the period of incarceration and the fact that co-accused was already released on bail, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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, Periyakulam, Theni District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;



(ii)the petitioner shall report before the respondent police daily at 10.30 a.m.,
until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/07/2024

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/07/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. The Judicial Magistrate,
Periyakulam,
Theni District.

2.Do Through
The Chief Judicial Magistrate,
Theni.



3. The Officer in Charge,
Nilakottai Women Jail, Dindigul District.

4. The Inspector of Police,
Periyakulam Police Station, Theni District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.S.Vikram, Advocate (SR.No.8406)

CRL OP(MD) No.11156 of 2024
Date :23/07/2024

MGJ(23.07.2024) 4P 7C

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