



Crl.R.C.Nos.312 and 302 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 17.09.2025
PRONOUNCED ON : 09.10.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.Nos.312 and 302 of 2021

Crl.R.C.No.312 of 2021

Sridhar

... Petitioner

Vs.

The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 397 r/w. 401 of Criminal Procedure Code, to set aside the judgment of conviction passed in Crl.A.No.54 of 2019 dated 24.02.2021 on the file of the Additional District Judge, Hosur, in confirming the order of conviction passed by the Assistant Sessions Judge, Hosur in S.C.No.124 of 2018 dated 30.10.2019 from 7 years rigorous imprisonment for the alleged offences under Sections 489(A), 489(C), 489(D) IPC each and fine of Rs.1,500/- each for the alleged offense under Sections 489(A) and 489(D) IPC each, in default to undergo one year rigorous imprisonment each and all the sentences of imprisonment to run concurrently.



WEB COPY



Crl.R.C.Nos.312 and 302 of 2021

For Petitioner : Mr.L.Govindaraj
for Mr.K.Gangadaran

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

Crl.R.C.No.302 of 2021

Ravi

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 397 r/w. 401 of Criminal Procedure Code, to set aside the judgment passed in Crl.A.No.09 of 2020 dated 24.02.2021 on the file of the Additional District Judge, Hosur, in modifying the order of conviction passed by the Assistant Sessions Judge, Hosur in S.C.No.124 of 2018 dated 30.10.2019 from 7 years rigorous imprisonment each for the alleged offences under Section 489(A) IPC and fine of Rs.1,500/-, in default, to undergo one year rigorous imprisonment, 489(C) and 489(D) IPC Rs.1500/- fine, in default, to undergo one year rigorous imprisonment and to run concurrently and to undergo three years rigorous imprisonment and to pay a fine of Rs.3,000/-, in default to undergo six months rigorous imprisonment for the alleged offence under Section 489C IPC r/w. Section 386(b)(iii) Cr.P.C.



WEB COPY



Crl.R.C.Nos.312 and 302 of 2021

For Petitioner : Mr.R.Selvakumar

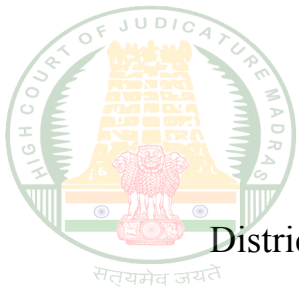
For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

COMMON ORDER

The petitioner in Crl.RC.No.312 of 2021 is A1 and the petitioner in Crl.RC.No.302 of 2021 is A2.

2.These criminal revision petitions are filed by the petitioners/A1 and A2 challenging the conviction and sentence passed by the Trial Court in S.C.No.124 of 2018 by judgment dated 30.10.2019 wherein the petitioners were convicted for the offence under Sections 489(A), 489(C) and 489(D) and sentenced to undergo seven years rigorous imprisonment for each of the offence and to pay Rs.1,500/- for each of the offence, in default, to undergo one year rigorous imprisonment each and all the sentences to run concurrently.

3.Aggrieved against the conviction and sentence passed by the Trial Court, A1 preferred an appeal in C.A.No.54 of 2019 before the Additional



Crl.R.C.Nos.312 and 302 of 2021

WEB COPY

District Court, Hosur. The learned Additional District Judge by judgment dated 24.02.2021 dismissed the appeal confirming the conviction and sentence imposed by the Trial Court. A2 preferred an appeal in C.A.No.09 of 2020 before the Additional District Court, Hosur. The learned Additional District Judge by judgment dated 24.02.2021 modified the judgment of the Trial Court by acquitting A2 for the offence under Sections 489(A) and 489(D) IPC and convicted A2 for the offence under Section 489(C) IPC, u/s. 386(b)(iii) Cr.P.C. and sentenced to undergo three years rigorous imprisonment and to pay a fine of Rs.3,000/-, in default, to undergo six months rigorous imprisonment. Against which, the present criminal revision petitions filed.

4.For the sake of convenience, the petitioners are referred to as per their rankings in the Trial Court.

5.The case of the prosecution is that A1 and A2 are friends. On the night of 08.05.2015, at about 6.00 p.m., the Inspector of Police, Denkanikottai, PW7 received a secret information about the petitioners'



WEB COPY

involved in preparation of counterfeit currency notes. He informed the

Tahsildar, Denkanikottai, to be a witness for the raid. PW5/Deputy

Tahsildar, on the instruction of Tahsildar Mr.Govindhan along with

Revenue Inspector Mr.Arun went to the Police Station and from there, they

went to Anniyalam Village at about 9.00 p.m. where they saw A2, who was

enquired and he gave contradictory statement. Thereafter, A2 came forward

and gave a confession before the witnesses stating that his friend/A1 rented

a house in Bommandapalli Village and from there, they are printing

counterfeit currency notes. From A2, 9 Nos. of 100 rupees counterfeit notes

and 4 Nos. of genuine 100 rupees notes seized. Thereafter, A2 lead them to

the house of A1. PW7 visited the scene of occurrence, enquired the house

owner/PW4, who informed that A1 was residing in the first floor of his

house. Thereafter, A1's house was searched and from there, one xerox

machine, computer, printers, cutting knife, ruler scale and counterfeit notes

with denominations of Rs.500, Rs.1000, Rs.50, Rs.20 and Rs.10 seized in

the presence of witnesses. The accused were brought to the police station,

FIR/Ex.P8 registered and the investigation continued. Both the accused

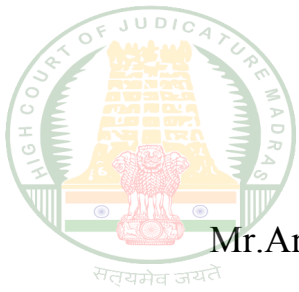
confessed of preparing counterfeit notes and letting them into circulation.



WEB COPY

Thereafter, the counterfeit notes were sent to forensic expert/PW6 and the electronic gadgets were sent to PW8/Scientific Officer for forensic examination. PW9/Inspector of Police succeeded PW7 and filed the charge sheet. During trial, PW1 to PW9 examined, Ex.P1 to Ex.P11 marked and MO1 to MO12 produced. On conclusion of trial, the Trial Court convicted the petitioners as stated above.

6.The contention of the learned counsels for the petitioners/A1 and A2 is that both the Courts below not properly considered and appreciated the evidence, with a preconceived notion, convicted the petitioners in this case. PW1 to PW3, the private witnesses, not supported the case of the prosecution. It is projected that on 08.05.2015 at about 5:30 p.m., A2 went to the shop of PW1 and gave a 100 rupees note for purchase of articles. Since PW1 suspected the note to be a colour xerox, he called PW2, an adjacent shop owner and PW3, the other shop owner, who stated that A2 earlier purchased articles from him by giving similar notes. Hence they detained A2 and informed PW7/Inspector of Police, Denkanikottai, who came there along with PW5/Deputy Tahsildar and Revenue Inspector



WEB.COM

Mr.Arun, at that time, confession is said to have been given by the accused admitting the guilt. In this case, PW1 to PW3 not supported the case of the prosecution. Hence, the genesis of the case becomes doubtful. PW4, the landlord states that the petitioner/A1 is a tenant, but no tenancy agreement or any document produced to confirm A1 was a tenant. Further, PW4 submits that he was present at a quite distance and he is not aware what was seized and recorded in the mahazar. PW5/Deputy Tahsildar, an obliging witness, went along with PW7 and claims that in his presence A1 gave a confession and seizure was made. The other witness, Revenue Inspector Mr.Arun, not examined as a witness. PW5 deposed that confession statement of A1 is a computer printout, but he is not able to give any details of the computer and printer from which the confession statement was recorded. PW6 is Scientific Officer of the Forensic Department, is unable to determine whether the counterfeit notes were printed or computer xeroxed. PW8, another Scientific Officer, who examined the electronic gadgets, gave a report that he is not sure whether the printer was in a working condition. PW7/Investigating Officer is the informant and the Investigating Officer who conducted substantial portion of the investigation, registered FIR/E.P8,



WEB COPY

prepared observation mahazar/Ex.P1, P2, P9 and P10, recorded the confession statements of both the accused/Ex.P3 and Ex.P5 and prepared Seizure Mahazar/Ex.P4 and Ex.P6. Hence, the investigation by the informant is not proper. In this case, PW9/Circle inspector took up investigation but not recorded statement of any witness and filed the charge sheet in this case. The Trial Court failed to consider the foundational defect and the discrepancies and contradictions in the evidence of the witnesses. In this case, the seizure is highly doubtful. All these factors not considered by the Trial Court but the petitioners were convicted.

7.The learned Government Advocate (Crl. Side) filed his counter and submitted that the accused Sridhar/A1 and the accused A2 are friends and on the night hours of 08.05.2015 in front of the house of one Prakash situated at Anniyalam Village, Denkanikottai to Thally Road, within the jurisdiction of Denkanikoattai Police Station Limit, the accused A1 & A2 performed the process of preparing counterfeit currency notes and while so, they prepared 100 rupees currency notes in 19 numbers and 500 rupees currency notes in 9 numbers and fake currencies taken in Xerox papers



WEB COPY

containing pages 1 to 58, knowing that they would thereby prepare the process of above said currency notes in fake by using H.P. colure laserjet, H.P. Diskjet, Frontech Anchor CPC, Frontech Key board and Frontech monitor, and processed counterfeit currencies. Based on the above complaint, a case was registered by Denkanikottai Police Station, Krishnagiri in Crime No.266 of 2015, U/s. 489 (A), 489 (B), 489 (C), 489 (D) of IPC Act against the accused persons on 09.05.2015 at about 18.00 hours by the Inspector of Police, who took up the case for investigation. During the course of investigation on 09.05.2015 the Inspector of Police went to the scene of occurrence, prepared rough Sketch and Observation Mahazar in the presence of witness and recorded their statements. On 08.05.2015, the Inspector of Police arrested A1 and obtained confession statement from him and produced him before the learned Judicial Magistrate, Denkanikottai and got remanded to judicial custody. On 09.05.2015, the Inspector of Police arrested A2 and obtained confession statement from him and produced him before the learned Judicial Magistrate, Denkanikottai and got remanded him to judicial custody. On 12.05.2015 the Inspector of police sent the seized counterfeit currency notes



Crl.R.C.Nos.312 and 302 of 2021

to the Forensic science Laboratory, Chennai and the report confirmed that the currencies were fake one. The electronic gadgets sent for forensic examination and report received. After completion of detailed and elaborate investigation the Inspector of Police filed a charge sheet before the Learned Judicial Magistrate, Denkanikottai, the same taken on file and assigned P.R.C.No.10/2018 dated 28.02.2018 and committed to the Assistant Session Judge, Hosur and the same taken on file in S.C.No. 124 of 2018. The Trial Court framed charges against the accused person. During trial, the prosecution examined 9 witnesses and marked 11 exhibits and 12 material objects were marked. On defence side no witness, no exhibits and no material object were marked.

8.The learned Government Advocate (Crl. Side) further submitted that on the conviction of the trial court, A1 preferred an appeal in Crl.A.No.54 of 2019 before the learned Additional District Judge, Hosur and the same was dismissed, confirming the conviction imposed by the Trial Court. The appeal filed by A2 in Crl.A.No.9 of 2020 was partly allowed by modifying the sentence imposed by the Trial Court, by convicting A2 for



WEB.COM

the offence under section 489(C) IPC alone and he was acquitted for the offence under Sections 489(A) and 489(D) IPC. He further submitted that A1 confined in prison for about 2 years and 102 days. A2 was confined in prison for 2 years and 24 days.

9.Considering the submissions made and on perusal of the materials, it is seen that in this case PW1 to PW3, shopkeepers, did not support the case of the prosecution. A2 came to the shop of PW1, purchased some articles and gave a 100 rupees note. Since the note was found to be a colour xerox and doubtful, he called PW2, an adjacent shop owner. Both of them verified and found it to be a colour xerox. PW3, another shopkeeper, confirmed that A2 earlier came and purchased articles from him by giving a similar note. PW1 to PW3 detained A2 and informed PW7, who came to the scene of occurrence along with the Deputy Tahsildar/PW5 and the Revenue Inspector Mr.Arun. In the scene of occurrence, A2 was enquired and found having counterfeit currency note. A2 gave a concession/Ex.P3 and from him, 9 Nos. of 100 rupees counterfeit notes and 4 Nos. of genuine 100 rupees notes seized, which was marked as MO1 and MO2. Thereafter, A2



WEB COPY

lead PW7 to the house of A1 and in the presence of the house owner/PW4, A1's house was searched, where MO3/HP Colour Laser Jet, Pro MFPM-176n, MO4/H.P.Disk Jet 1510 Printer, MO5/Frantech Anchor CPU, MO6/Frantech Key Board, MO7/Frantech Monitor, MO8/Ruler, MO9/Pen, MO10/Knife, MO11/9 Counterfeit currency notes to the value of Rs.5,500/- and MO12/Genuine currency notes to the value of Rs.5,760/- seized. The currency notes and electronic gadgets forwarded to the forensic examination. PW6/Forensic Expert for the counterfeit notes, gave a report/Ex.P7 confirming the counterfeit notes. PW8, the other Scientific Officer of the Forensic Department had given his report examining the electronic gadgets. From his report, it is seen that in the computer Hard disk some files active and deleted confirming that the currency notes printed using the computer. Thus, the prosecution, by cogent evidence and materials proved the case that A1 and A2 indulged in printing, possessing, and circulating counterfeit currency notes. It is seen that both the petitioners are of young age. They have no bad antecedents or similar cases except the above case. In view of the above, this court finds that the conviction of the petitioners can be sustained with the modification. A1 was in prison for 2



Crl.R.C.Nos.312 and 302 of 2021

years and 102 days and A2 was in prison for 2 years and 24 days. Hence, the sentence of imprisonment is modified to that of period already undergone.

10. Accordingly, the criminal revision petitions stand partly allowed.

09.10.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
cse

To

1. The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri District.
2. The Additional District Judge,
Hosur.
3. The Assistant Sessions Judge,
Hosur.
4. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.R.C.Nos.312 and 302 of 2021

M.NIRMAL KUMAR, J.

cse

Pre-delivery order made in

Crl.R.C.Nos.312 and 302 of 2021

09.10.2025