

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 30TH OCTOBER 2009 / 8TH KARTHIKA 1931

Bail Appl.No. 6215 of 2009()

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CRIME NO.91 OF 2009 OF MELATTUR POLICE STATION, MALAPPURAM.  
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PETITIONER (S):  
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A.AYOOB, S/O.ABOOBECKER,  
SHAJEELA MANZIL, NEMAM,  
THIRUVANANTHAPURAM.

BY ADV. SRI.SUBHASH CYRIAC

RESPONDENT(S):  
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1. STATE OF KERALA REPRESENTED BY THE  
STATE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA.
2. SUB INSPECTOR OF POLICE, MELATTUR  
POLICE STATION, MALAPPURAM DIST.

PUBLIC PROSECUTOR SRI.TEKCHAND

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD  
ON 30/10/2009, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**K.T.SANKARAN, J.**

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B.A.No.6215 of 2009  
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Dated this the 30<sup>th</sup> day of October, 2009

**ORDER**

This is an application for bail under Section 439 of the Code of Criminal Procedure. The petitioner is accused No.3 in Crime No.91 of 2009 of Melattur Police Station, Malappuram District.

2. The offences alleged against the petitioner are under Sections 420 and 489B read with Section 34 of the Indian Penal Code.

3. On 29.5.2009, one Pariyani of Melattur gave the First Information Statement to the Sub Inspector of Police, Melattur. Pariyani stated that he used to rear goats. On 20.5.2009, three persons came to his house in a white coloured Tata Zumo car. They stated that they belonged to Perinthalmanna. They purchased four goats for Rs.5,500/-. They also purchased two goats belonging to Ramakrishnan, the neighbour of Pariyani, for a sum of Rs.4,500/-. The total sum of Rs.10,000/- was paid by giving 10 currency notes of the denomination of Rs.1,000/-. Out of the 10 currency notes, in order to pay Rs.4,500/- to

Ramakrishnan, Pariyani gave him four currency notes. Pariyani retained five currency notes of the denomination of Rs.1,000/-. One such currency note was given by him in a grocery shop while purchasing grocery items. The shop owner expressed a doubt as to the genuineness of the currency. Pariyani went to the Service Co-operative Bank, Melattur to ascertain whether the currency notes are genuine. The Bank people said that all the currency notes were fake currency notes. On 29.5.2009, Pariyani approached the police, gave the FI statement and entrusted to the police the nine currency notes of the denomination of Rs.1,000/-. Meanwhile, Ramakrishnan had given one currency note to some other person and therefore, that currency note could not be produced.

4. During investigation, it was revealed that the following persons are involved in the offence relating to counterfeit currency notes: They are the first accused Basheer, the second accused Noushad, the third accused Ayoob (petitioner), the fourth accused Babujan Basha and the fifth accused Sreenivasan. The learned Public Prosecutor submitted that the investigation reveals that accused Nos.1, 2, 4 and 5

used computer scanner, printer and other equipments for the purpose of making counterfeit currency notes. The petitioner (third accused) is closely connected with the other accused and he is involved in the marketing of the counterfeit currency notes.

5. The petitioner was arrested on 22.9.2009. He was remanded to judicial custody.

6. The method of circulation of the counterfeit currency notes appears to be very simple. The accused persons purchase goats, buffaloes etc. and pay the counterfeit currency notes. Such counterfeit currency notes would reach in the hands of innocent people. If the circulation goes on, no person would be able to know whether the currency notes in his possession are genuine or fake. The business of circulation of counterfeit currency notes goes on undetected, since the currency notes are being supplied to innocent villagers who have no facility to ascertain whether the currency note is genuine or fake.

7. In a case of this nature, I am of the view that the accused persons cannot be granted bail as a matter of course. The offence is very serious in nature. Circulation of counterfeit currency affects the economy of the nation. Cases of this nature

cannot be dealt with in a routine manner and bail cannot be granted as a matter of right. Discretion of court cannot be exercised liberally to grant bail to the persons accused of having committed such offence.

8. In the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. If he is released on bail, there is every likelihood of the petitioner indulging in similar criminal activities. The petitioner cannot be allowed to indulge in such activities to the detriment of the interests of the general public.

For the aforesaid reasons, the Bail Application is dismissed.

**K.T.SANKARAN,  
JUDGE**

csl