

IN THE COURT OF JUDICIAL MAGISTRATE No. V, MADURAI

Twenty Seventh Day of May, Two Thousand Twenty

Present: E. Pravin Kumar, B.A.,B.L.,

J.M. V, Madurai

e- Crmp 12 / 2020

1. Murugan (A5)

s/o Perumal

.... Petitioner/Accused

Vs

State rep. by Sub Inspector of police,

Thideer Nagar Police Station

Crime No. 519/2020.

U/sec. 147,148,341, 294(b) ,323,506(ii) IPC IPC.

... Respondent/Complainant

For petitioner/accused: Mr. K. Karunakaran M.A.,B.L, Advocate

For Respondent/Complainant: Mrs. Thilagarani, Grade II Assistant Public Prosecutor

**27-05-2020**

**Order**

1) The petitioner/ accused filed this petition seeking for Bail U/s. 437Crpc in Crime No. 519/2020, U/sec. 147,148,341, 294(b) ,323,506(ii) IPC. Notice was given to the other side. Heard both side arguments.

2) The learned counsel for the petitioner argued that this is the 1st bail application filed for this accused. The accused was remanded on 20-05-2020 and in judicial custody for past 8 days in District Prison, Theni. The accused has been falsely

implicated in this case. There is no injury to the other side. The investigation in this case is nearly over. The accused is 19 years of age. There is no chance of absconding or tampering with the witness if the accused is enlarged on bail. Further one of the accused arrested with this accused was tested positive for covid-19. But this accused has been tested negative for covid-19. Hence considering all the above facts the petitioner prayed that this bail petition may be granted.

3) In reply to the above contention, the prosecution has stated that the investigation is pending in stage and if the accused is let on bail, he may tamper the witness and the accused may try to abscond. Further the accused have been tested negative for covid-19. Hence considering all the above facts the prosecution prayed that the bail petition may be dismissed.

4) This court has taken into consideration the facts and circumstances of the case ,gravity of offence and the age of the accused. Further there is no injury on the complainant's side. Hence considering all the above facts and circumstances and in the interest of justice and as bail is a right and jail is an exception, this court is inclined to grant bail to the accused.. The accused shall be enlarged on bail on his executing own bond for Rs. 10,000/- to the satisfaction of Superintendent, District Prison , Theni .

5). Further within 3 working days from the lifting of lockdown the accused shall surrender before this court and execute a fresh bond for Rs. 10,000/- with two sureties for like sum each. Thereafter the accused shall provide his residential address to the respondent police and in change of the residential address the same shall be intimated to the respondent police. The accused shall co-operate with the respondent police, they

shall not threaten the witnesses, they shall not induce the witnesses and shall appear before this court on summons. If there is any violation or non-compliance of the conditions above, the investigation officer is within his discretion to approach this court for cancellation of bail order.

6) In the result this bail petition is allowed.

(S/d) E. Pravin Kumar

Judicial Magistrate No. V,

Madurai

Copy to :

1) The Superintendent, District Prison, Theni..