

In the Court of the VI Additional Sessions Judge
Madurai

Present: Thiru.T.Sambath Kumar Bsc., LLB
VI Additional Session Judge

Dated: 01.06.2020

CrI.M.P.No: 629/2020

in Cr.No.954/2018 of

Theppakulam P.S.

(S.C.82/2019)

1. Kannan @ Psycho Kannan

:Petitioners

S/o.Senthil

4-99 Christian Street,

Anupanadi,

Madurai.

2. Attori @ Rajavelu Age 20/2018

S/o Periyakaruppan,

5/221 Ponnupillai Thoppu,

Anupanadi,

Madurai.

.. Vs..

State represented by Inspector of Police

:Respondent

Theppakulam P.S. Crime No: 954/2018

Petition filed u/s 439 Crpc. for bail.

This petition coming on for hearing through phone on today in the presence of Advocate Thiru.S.Rajasekaran for the petitioners and the learned Additional Public Prosecutor for the respondent and having stood over for consideration this court delivered the following.

ORDER

Petitioners are the accused have filed this petition for bail. The learned counsel for the petitioners submitted that the respondent/complainant registered a case against the petitioners/accused under Section 147, 148, 341, 294(b),302, 506(ii) IPC and the petitioners are formally arrested and remanded on 22.10.2018 and the petitioners/accused are innocent and they have not committed any offence and they have been falsely implicated in this case and they are law abiding citizen and they will not abscond and the petitioners/accused are ready and willing to offer substantial sureties for their due appearance and the petitioners have already been detained under the goondas act and because of the detention order passed by the Commissioner of Police Madurai they could not be able to come out on bail and prayed for releasing the petitioners on bail.

In reply the learned Public Prosecutor has strongly objected to release the petitioners on bail as the 1st petitioner has involved in another two cases also and the 2nd petitioner has involved in another 5 cases also and if the petitioners are released on bail they will evade the process of the court and prayed for dismissing the petition, but he has not made any objections for granting interim bail considering the long incarceration of the petitioner.

Case records perused. Case has been registered under section 147, 148, 341, 302, 506(ii) and 294(b) r/w 34 IPC. Date of occurrence is 18.10.2018. The petitioners have already been arrested and remanded to Judicial custody and subsequently they were detained under the goondas act and since the detention order was passed by the Commissioner of Police they could not be able to come out on bail. It is the case of the prosecution that the petitioners along with 3 other accused committed murder of one Praveenkumar. Now the entire country is under the threat of Covid-19 virus outbreak and under lock down. Therefore the safety of every individual is paramount and therefore keeping the petitioners in the jail during lock down is not safe. The learned counsel for the petitioners submitted that the petitioners have already been detained under the goondas act and because of the detention order was passed by the Commissioner of Police they could not be able to come out on bail. Already two co-accused have been released on interim bail. Therefore considering the extraordinary circumstances this court is of the view that the petitioners can be released on interim bail. Hence considering the facts and circumstances, this court inclined to grant interim bail to the petitioners till 12.08.2020 and accordingly the petitioners are ordered to be released on interim bail on their executing a bond for a sum of Rs.10,000/- before the Jail superintendant concerned and the petitioners are directed to surrender before this court on 13.08.2020. Accordingly this petition is ordered.

Pronounced by me on this 1st day of June 2020.

Sd/- T. Sampathkumar
VI Additional Sessions Judge,
Madurai

To
The Petitioner through counsel
The Addl. Public Prosecutor, Madurai
The Inspector of Police Theppakulam P.S., Madurai
The Superintendent, Central Prison, Madurai.
The Superintendent, District Jail, Dindigul.

