

In the Court of Chief Judicial Magistrate, Madurai.  
Present: Thiru. T.V. Hemanandakumar, B.A., L.L.B.,

Chief Judicial Magistrate, Madurai .

Dated this the 4<sup>th</sup> day of June 2020, Thursday.

Cr.M.P. No. 528/2020 in S.C.No. 94/2019

Boomi @ Boominathan,

S/o. Vazhivittan

... Petitioner/Accused No.5

Vs.

State through the Inspector of Police,

B4, Keeraithurai Police Station,

Madurai.

in Cr.No.221/2009

... Respondent/Complainant

This petition coming on this day for hearing before me. Heard the petitioner and the learned Additional Public Prosecutor through video conference, this court passed the following

ORDER

- 1) Application for bail. The alleged offences u/s.392 r/w 397 and 506(ii) IPC.
- 2) The petitioner/accused submits that he is in custody for about 11 months in this case and trial in this case is almost completed and hence prayed for bail.
- 3) The respondent/police filed objection contending that the petitioner is a habitual offender having 10 more cases. The petitioner and other accused in this case are not regularly appearing for the hearing and hence if released he will again abscond.
- 4) The petitioner is the 5<sup>th</sup> accused in this case. Since the petitioner did not appear before this court NBW was issued against him and on 26.07.2019 he was arrested and remanded. Till this date the petitioner is in custody. As submitted by the petitioner all the material witnesses in this case have been examined and they turned hostile. Only the investigation officer has to be examined. Now due to the spread of pandemic virus this court work is not fully resumed. So completion of trial by examining the witnesses at this stage is not possible and so considering the long

period of judicial custody this court is of the view that the petitioner can be enlarged on bail.

- 5) In the result, this petition is allowed and the petitioner is ordered to be enlarged on bail on executing a own bond for Rs.10,000/- before the Superintendent of Central Prison and he shall appear before this court on the date of hearing if court work resumes.

Dictated to the Steno typist taken down by her in Shorthand, transcribed and typed by her in Computer corrected and pronounced by me in Open Court, this the 4<sup>th</sup> day of June 2020.

(Sd.) T.V. Hemanandakumar,  
Chief Judicial Magistrate,  
Madurai.

To

1. The petitioner thro' the Counsel.
2. The Superintendent of Central Prison, Madurai.