

**In the Court of the Principal District Judge, Madurai.**

**Present : Tmt.A. Nazeema Banu, B.A., L.L.M.,**

**Principal District Judge, Madurai.**

**Friday, this the 14<sup>th</sup> day of August -2020.**

**CrI.M.P.No.3532/2020**

1.Dhanasekaran,S/o.Muruganantham

2.S.Dineshkumar @ Maadu Dinesh,S/o.Suresh kumar ... Petitioners/Accused.

**Vs**

State through the Inspector of Police,

Jaihindpuram,P.S. Cr.No.982/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.S.Ayyappa Raja, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

**Order**

1. Bail applications u/s. 439 of Cr.p.c.

2. The offences alleged are U/s. 294(b), 392, 397 and 506(ii) of IPC.

3. Heard.

4. Considered the argument of the both sides. The learned counsel for the petitioners would submit that a case has been registered against the accused in Cr.No.982/2020 of Jaihindpuram P.S. U/Sec. 294(b), 392, 397 and 506(ii) of IPC. The date of occurrence was on 28.7.2020. The petitioners were arrested on the same date and they are in custody for the past 18 days. The property has been recovered. He prays to grant bail to the petitioner.

5. The learned public prosecutor while advancing his argument has submitted that totally there are 2 accused in this case and the petitioners are A1 and A2. The accused have committed robbery of Rs.950/- from the defacto complainant at knife point. Both the accused involved in 3 previous cases, including one murder case and other two cases are u/s. 392 IPC. He raised strong objection in granting bail to the petitioners. The petitioners are in custody for the past 18 days. Considering the period of incarceration of the petitioners are undergone for the past 18 days and the robbed property has been recovered, this Court is inclined to grant bail to the petitioners on condition.

6. In the result, the Petitioners are ordered to be enlarged on bail on their executing own bond each for Rs.10,000/- to the satisfaction of the **Superintendent, Central Prison, Madurai.** After a period of 6 weeks, the petitioners should surrender before the Judicial Magistrate concerned and execute a fresh bond for Rs.10,000/- each with two sureties for likesum each to the satisfaction of Judicial Magistrate concerned. Thereafter, the petitioners shall appear and sign before the Inspector of Police, Respondent Police Station daily at 10.00 a.m., until further orders. The petitioners shall co-operate with the investigation and they shall not threaten the witnesses, they shall not induce witnesses and he shall not cause obstacles to the pending investigation. If there is any violation of condition, the Investigation Officer is within his discretion to approach the Court of the learned Judicial Magistrate concerned for cancellation of bail order though bail granted by the Sessions Court, as per ruling of the Hon'ble Supreme Court reported in ***P.K. Shaji /Vs./State of Kerala (2005) AIR SC W 5560.*** Accordingly, the petition is allowed.

Pronounced by me in Camp Court on the 14<sup>th</sup> day of August -2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

**Copy to**

1. The Judicial Magistrate concerned
2. The Inspector of Police, Jaihindupuram, P.S.
3. The Superintendent, Central Prison, Madurai.
4. The Petitioner through his counsel.