

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

Present : **Thiru.M. Balakumar, B.A., M.L.,**

**(V Additional District Judge, Madurai)**

Principal District Judge, Madurai. (i/c)

Thursday, this the 10<sup>th</sup> day of September -2020.

**Crl.M.P.No.4045/2020**

Arunkumar@Karuvayan,S/o.Matchakalai

... Petitioner/Accused.

**Vs**

State through the Inspector of Police,

Koodal Pudur,P.S. Cr.No.1358/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.U.Prabhakar, 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 application u/s. 439 of Cr.p.c.

2. The offences alleged are U/s. 294(b), 323, 392, 397 and 506(ii) of IPC .

3. Heard.

4. The learned counsel for the petitioner argued that the case registered u/s. 294(b), 323, 392, 397 and 506(ii) of IPC. The date of occurrence was on 24.8.2020 and the complaint was lodged on 25.8.2020. The properties involved is a sum of Rs.200/- and a mobile phone, that also recovered from the petitioner. There was no previous case pending against the petitioner/accused and the petitioner is ready to abide any condition imposed by this Court and this is second bail petition.

5. In reply, the learned public prosecutor submitted that there was no previous case pending against the petitioner and the properties were recovered

from the accused. Hence, no specific objection raised by the learned public prosecutor.

6. Considering the fact that the petitioner was aged about 19 years and also no previous case and also considering the fact that the properties which was involved in this case recovered from the accused, this Court is inclined to grant bail to the petitioner on condition.

7. In the result, the Petitioner is ordered to be enlarged on bail on his executing own bond for Rs.10,000/- to the satisfaction of the **Superintendent, Central Prison, Madurai.** After a period of 6 weeks, the petitioner 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 petitioner shall appear and sign before the Inspector of Police, Respondent Police Station daily at 10.00 a.m., until further orders. The petitioner shall co-operate with the investigation and she shall not threaten the witnesses, she shall not induce witnesses and she 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 Open Court on the 10<sup>th</sup> day of September -2020.

Sd/- M. Balakumar  
**V Additional District Judge, Madurai**  
Principal District Judge, Madurai.(i/c)

**Copy to**

1. The Judicial Magistrate concerned
2. The Inspector of Police, Koodal Pudur, P.S.

3. The Superintendent, Central Prison, Madurai.
4. The Petitioner through his counsel.