

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 5th day of June -2020.

CrI.M.P.No.2678/2020

Karthick (A5), S/o.Murugesan

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Teppakulam P.S. Cr.No.716/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.V.Vishnu, 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. Anticipatory Bail petition under section 438 of Cr.P.C.
2. The offences alleged are under sections 294(b), 323, 326 and 506(ii) of IPC.
3. Heard both sides.

4. Considered the both side arguments. The learned counsel for the petitioner submitted that the respondent police has registered a case against the petitioner in Cr.No.716/2020 U/sec. 294(b), 323, 326 and 506(ii) of IPC, the date of occurrence was on 24.5.2020, totally 5 accused in this case, the petitioner is arrayed as A5, the injured discharged from the hospital and one of the co-accused has been granted bail by the Judicial Magistrate concerned and prays to grant anticipatory bail to the petitioner. The learned public prosecutor has also admitted that the injured discharged from the hospital and he has not raised any serious objection to allow this petition. Considering the fact that the injured discharged from the hospital and one of the co-accused has been granted bail by the Judicial Magistrate concerned, this court is inclined to grant anticipatory bail to the petitioner on condition.

5. In the result, in the event of arrest or on his surrender before the Court concerned, the Petitioner is ordered to be enlarged on anticipatory bail on his executing own bond each for a sum of Rs.10,000/- to the satisfaction of the Judicial Magistrate concerned subject to the following conditions:-

(i) After a period of 6 weeks, the petitioner should surrender before the Judicial Magistrate concerned and execute a fresh bond for Rs.10,000/- 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.

(ii) The petitioner shall not tamper with the witness or in any manner interfering with or put obstacle to the smooth progress of interrogation.

(iii) 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 5th day of June -2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

1. The Judicial Magistrate concerned
2. The Inspector of Police, Teppakulam P.S.
3. The Petitioner through his counsel.