

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.2767/2020

Pandiyarajan@Pandi,S/o.Palpandi

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Avaniyapuram,P.S. Cr.No.963/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.Kayalvizhi, 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. 147, 148, 341, 294(b), 323, 307, 324, 506(ii) IPC.
3. Heard.
4. Considered the argument of the both sides. The learned counsel for the petitioner would submit that a case has been registered against the accused in Cr.No.963/2020 of Avaniyapuram P.S. U/Sec. 147, 148, 341, 294(b), 323, 307, 324, 506(ii) IPC, the petitioner was arrested on 10.5.2020 and he is in judicial custody for the past 27 days, already co-accused was released on bail by this Court in Cr.M.P. No.2714/2020 dated 4.6.2020 and prays to grant bail. The learned public prosecutor also admitted that the injured discharged from the hospital and co-accused was released on bail by this Court and he has not raised any serious objection to grant bail to the petitioner. Considering period of

incarceration for the past 27 days, and already co-accused have been granted bail, this Court is inclined to grant bail to the petitioner on condition.

5. In the result, the Petitioner is ordered to be enlarged on bail on his executing own bond for Rs.10,000/- each 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 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 he shall not threaten the witnesses, he 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 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, Avaniyapuram, P.S.
3. The Superintendent Central Prison Madurai.
4. The Petitioner through his counsel.