

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, MADURAI.

PRESENT: THIRU. M.THANDAVAN, B.L.,

(I Additional District & Sessions Judge, Madurai)

PRINCIPAL SESSIONS JUDGE (i/c.) MADURAI.

(AUTHORISED U/S.10(3) OF CR.P.C.)

Friday, this the 24th day of July -2020.

CrI.M.P.No.3432/2020

J.Vicki @ Somasundareswaran, S/o. Jothipitchai ... Petitioner/Accused.

Vs

State through the Inspector of Police,

Usilampatti Town, P.S. Cr.No.637/2019 ... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.I.Kannan, 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 application u/s. 438 of Cr.p.c.
2. The offences alleged are U/s. 341, 342, 294(b), 323, 324 and 506(ii) of IPC.
3. Heard.
4. The learned counsel for the petitioner would submit that the case has been registered against the petitioners in Cr.No. 637/2019 of Usilampatti Town police station under section 341, 342, 294(b), 323, 324 and 506(ii) of IPC. The petitioner is arrayed as A2. The injured discharged from the hospital on 7.11.2019 investigation is over and prays to grant anticipatory bail to the petitioner.
5. The Public Prosecutor submitted that there are totally 2 accused in this case, the petitioner herein is arrayed as A2. The injured discharged from the hospital. The petitioner is having 2 previous cases and he placed his objection.

Considering the fact that it is a case of 2019, and the injured discharged from the hospital, and the investigation is over, this court is inclined to grant anticipatory bail to the petitioner on condition.

7. 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 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 each 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 24th day of July -2020.

Sd/-M.Thandavan,

Principal Sessions Judge (i/c.),Madurai.

Copy to

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