

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 14th day of August -2020.

Crl.M.P.No.3611/2020

Velmurugan, S/o.Muthumayan

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Kadupatti P.S. Cr.No.1095/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.M.Thiyagarajan, 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), 307, 324 and 506(ii) of 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.1095/2020 of Kadupatti P.S. U/Sec. 294(b), 307, 324 and 506(ii) of IPC. The petitioner is single accused in this case. The date of occurrence was on 22.7.2020. The petitioner was arrested on 23.7.2020 and he is in judicial custody for the past 23 days. The injured persons discharged from the hospital on 23.7.2020 and prays to grant bail to the petitioner.

5. The learned public prosecutor would submit that the date of occurrence was on 22.7.2020. Two persons injured in this case. The petitioner stabbed the injured persons with knife on the back side of head. The injured persons discharged from the hospital. Investigation is pending. He raised strong

objection in granting bail to the petitioner. The petitioner is in judicial custody for the past 23 days. Considering the fact that the injured persons discharged from the hospital and considering the incarceration period of the petitioner for the past 23 days, this court is inclined to grant bail to the petitioner on condition.

6. 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, Sub Jail, Melur.** 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 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 14th day of August -2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

1. The Judicial Magistrate concerned
2. The Inspector of Police, Kadupatti P.S.
3. The Superintendent, Sub Jail, Melur.
4. The Petitioner through his counsel.