

**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 14<sup>th</sup> day of August -2020.**

**Crl.M.P.No.3641/2020**

1. Karthik, S/o.Karmegam

2. Deivendrakumar @ Puyalkumar,  
S/o.Meenakshisundaram

... Petitioners/Accused.

**Vs**

State through the Inspector of Police,

Thideer Nagar P.S. Cr.No.722/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.R.John Jeyaseelan Jacop, 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. 147, 148, 341, 294(b), 324 and 506(ii) of IPC.

3. Heard.

4. Considered the argument of the both sides. The learned counsel for the petitioners would submit that a case has been registered against the accused in Cr.No.722/2020 of Thideernagar P.S. U/Sec.147, 148, 341, 294(b), 324 and 506(ii) of IPC. The date of occurrence was on 27.7.2020. The petitioners were arrested on 29.7.2020 and they are in custody for the past 17 days. The case of prosecution is that on 27.7.2020, the petitioners along with other accused assaulted the defacto complainant and others. These petitioners have no specific overt act and they have no previous case. He prays to grant bail to the petitioners.

5. The learned public prosecutor while advancing his argument has submitted that the petitioners along with other accused beat the defacto complainant and others with aruval, wooden log and caused injuries. The

injured persons discharged from the hospital after taking treatment for 4 days. There is no previous case pending against the petitioners. He placed his objection in granting bail to the petitioners. Considering the period of incarceration of the petitioners for the past 17 days, the injured discharged from the hospital and there is no previous case pending against the petitioners, this Court is inclined to grant bail to the petitioners on condition.

6. In the result, the Petitioners are ordered to be enlarged on bail on their executing own bond each for Rs.10,000/- to the satisfaction of the **Superintendent, District Jail, Theni.** 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 petitioners shall appear and sign before the Inspector of Police, Respondent Police Station daily at 10.00 a.m., until further orders. The petitioners shall co-operate with the investigation and they shall not threaten the witnesses, they 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 14<sup>th</sup> day of August -2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

**Copy to**

1. The Judicial Magistrate concerned
2. The Inspector of Police, Thideer Nagar P.S.
3. The Superintendent, District Jail, Theni.
4. The Petitioner through his counsel.