

**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 21<sup>st</sup> day of August -2020.**

**Crl.M.P.No.3780/2020**

Prasanth Ruban, S/o.Rajkumar

... Petitioner/Accused.

**Vs**

State through the Inspector of Police,

Melur P.S. Cr.No.1560/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.S.Malaimuthan, 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. 439 of Cr.p.c.

2. The offences alleged are U/s. 341, 294(b), 323, 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.1560/2020 of Melur P.S. U/Sec. 341, 294(b), 323, 324 and 506(ii) of IPC. The date of occurrence was on 7.8.2020. The injured discharged from the hospital on 13.8.2020, other co-accused were granted anticipatory bail by this Court on 17.8.2020 in Cr.M.P.No. 3671/2020 and prays to grant anticipatory bail to the petitioner. The learned public prosecutor while advancing his argument has submitted that there is specific overt act on the part of the petitioner and he has caused injury to the injured. This is 2<sup>nd</sup> bail application. Considering the fact that the injured had been discharged from the hospital, and

other co-accused were already granted anticipatory bail, 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 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 21<sup>st</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, Melur P.S.
3. The Petitioner through his counsel.