

In the Court of the Principal District Judge, Madurai.

Present : Tmt.N.Nagalakshmi, M.A., B.L.,

Principal District Judge (Incharge), Madurai.

Thursday, this the 01st day of October -2020.

Crl.M.P.No.4400/2020

Anand Kumar,S/o.Eswaran

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Mathichiyam,P.S. Cr.No.1324/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.S.Ayyapparaja, 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 under section 439 of Cr.P.C.

2. The offences alleged U/s. 341, 294(b), 307 and 506(ii) of IPC.

3. Heard both sides.

4. The petitioner counsel would submit that a case was registered against the petitioner U/s. 341, 294(b), 307 and 506(ii) of IPC. The petitioner was arrested on 5.9.2020 and he is in custody for the past 27 days. Totally there are 4 accused in this case and the petitioner is A4. The injured discharged from the hospital on 7.9.2020. Hence, prayed to release the petitioner on bail.

5. The learned public prosecutor would submit that the case of prosecution is that the maternal uncle of the injured gave a complaint against

Dabar @ Sundar Mahalingam and Suruttai Santhosh and the above said 2 persons were arrested by the respondent police. On 3.9.2020 at about 3.30 p.m., the petitioner along with 3 others waylaid the injured and forced to withdraw the complaint given by his maternal uncle, with an intention to do him away caused injuries on his head with wooden log and beer bottles. The injured was discharged from the hospital. He objected to grant bail to the petitioner.

6. Upon hearing the rival submissions, it reveals that the injured discharged from the hospital. The petitioner is in custody for the past 27 days. Therefore, considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner on condition.

7. In the result, the petitioner is ordered to be enlarged on bail on his executing a bond for Rs.10,000/- along with two sureties for a like sum each to the satisfaction of Judicial Magistrate No.2, Madurai, subject to condition that after release 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 even though bail granted by the Sessions Court as per the ruling of the Hon'ble Supreme Court reported in

P.K.Shaji/Vs/State of Kerala, (2005) AIR S.C.W.5560. Accordingly this petition is allowed.

Pronounced by me in Open Court on the 1st day of October -2020.

Sd/- N.Nagalakshmi

Principal District Judge(i/c), Madurai

Copy to

- 1. The Judicial Magistrate No.2, Madurai,**
2. The Inspector of Police, Mathichiyam P.S.
3. The Superintendent Central Prison Madurai.
4. The Petitioner through his counsel.