

In the Court of the Principal District Judge, Madurai.

Present : Tmt.A. Nazeema Banu, B.A., L.L.M.,

Principal District Judge, Madurai.

Monday, this the 4<sup>th</sup> day of May 2020.

CrI.M.P.No.2159/2020

1. Soundarapandi, S/o.Vasimalai
  2. Prakash, S/o.Vasimalai
- ... Petitioners/Accused.

Vs

State through the Inspector of Police,

PEW Thirumangalam P.S. Cr.No. 263 /2020 .. Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.Karunakaran, 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 u/s. 439 of Cr.p.c.
2. The offences alleged are U/s. 4(1)(b), 4(1)(g), 4(1)(A) of TNP Act.
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.263/2020 of PEW Thirumangalam P.S. U/Sec. 4(1)(b), 4(1)(g), 4(1)(A) of TNP Act, the petitioners were arrested on 21.4.2020 and they are in judicial custody for the past 14 days. The learned public prosecutor would submit that the petitioners have no previous case and he has no serious objection to allow this petition. Considering the incarceration period of the petitioners for the past 14 days, and the fact that they have no previous case, this court is inclined to grant bail to the Petitioners on condition.

5. 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, Sub Jail, Usilampatti** . After a period of 8 weeks, the petitioners 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 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 they 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 4<sup>th</sup> day of May 2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

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