

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 4th day of May 2020.

CrI.M.P.No.2162/2020

P.Saravanan, S/o.Pandi

... Petitioner/Accused.

Vs

State through the Inspector of Police,

Anna Nagar P.S. Cr.No. 1677/2010

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.S.Arockia Selva Ramesh, 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. 341, 392, 397 and 506(ii) of IPC.

3.Heard.

4. The learned counsel for the petitioners would submit that a case has been registered in Cr.No.1677/2010 of Anna Nagar P.S U/s. 341, 392, 397 and 506(ii) of IPC against the petitioner, the petitioner was jumped out of bail and NBW was issued against him and the petitioner was arrested on 27.2.2020 and he is in judicial custody for the past 68 days.

5. The learned public prosecutor would submit that the petitioner is the single accused in this case and this is a case of 2010 and the case was taken on file as PRC 8/2011 On the file of the Judicial Magistrate No.6, Madurai and now committed to Sessions Court. The petitioner was absent for long time and he was arrested on 27.2.2020 on NBW and he placed his objection.

6. Considered the argument of the both sides. The petitioner has been in judicial custody for the past 68 days. Considering the incarceration period of the petitioner for the past 68 days, 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 own bond for Rs.10,000/- to the satisfaction of the **Superintendent, Central Prison, Madurai**. After a period of 8 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 Judicial Magistrate concerned, on all working days, at 10.00 a.m., till the disposal of the case. The petitioner shall co-operate with the trial court and he shall not threaten the witnesses, he shall not induce witnesses and he shall not cause obstacles to the pending trial. 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 4th day of May 2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

1. The Judicial Magistrate concerned
2. The Inspector of Police, Anna Nagar P.S.
3. The Superintendent, Central Prison, Madurai.
4. The Petitioner through his counsel.