

Item No.20

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 04th day of May 2020.

CrI.M.P.No.2164/2020

Kaveri S/o.Subbaiah

... Petitioner/Accused

Vs

State through the Inspector of Police,

Palamedu P.S. Cr.No.281/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.A.Raman, 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. 188, 269, 270 of IPC and Sec. 4(1A) 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 petitioner in Cr.No.281/2010 of Palamedu P.S U/s. 188, 269, 270 of IPC and Sec. 4(1A) of TNP Act, the petitioner was arrested on 20.4.2020 and he is in judicial custody for the past 15 days. The learned public prosecutor would submit that the date of occurrence was on 18.4.2020, the petitioner was illegally found with 15 litters of arrack which are spurious in nature. It is stated the properties have been recovered. Considering the incarceration period of the petitioner for the past 15 days, this court is inclined to grant bail to the Petitioner on condition.

5. In the result, the Petitioner is ordered to be enlarged on bail on her executing own bond for Rs.10,000/- to the satisfaction of the **Superintendent, Sub Jail, Usilampatti** 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 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, she shall not induce witnesses and she 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 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, Palamedu P.S.
3. The Superintendent, Sub Jail, Usilampatti
4. The Petitioner through his counsel.