

IN THE COURT OF THE JUDICIAL MAGISTRATE, TIRUMANGALAM

Present: Thiru.M.C.Arun, L.L.B.,
Judicial Magistrate, Tirumangalam.
Dated this the 22nd day of May 2020
Cr.M.P.No.590/2020

Vadivel (Aged 39/2020)
S/o.Appadurai

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Petitioners/Accused

/Vs/

State through the Sub Inspector of Police,
Austinpatti P.S.Cr.No.265/2020
U/s.387, 506(2) IPC

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Respondent/Complainant

Accused Remanded on 15.05.2020

The counsel for the accused filed bail petition U/s.437 Cr.Pc. to the E-mail ID of this court on 20.05.2020 due to outbreak of COVID - 19 Lock down and the notice also given to the App. The App also appearing for the state filed reply to the E-mail ID after getting instructions from the Investigation Officer and after hearing both sides this court passed the following.

ORDER

Heard. Records perused. The counsel for the petitioner/accused argued through phone, that the accused is falsely implicated and the accused belongs to poor family, married, and bread winner of the family. On narrating about the previous case of the accused, the counsel stated that the accused not committed any offence for the past 2 years. Further state that the due to non compliance of the appearance as per the 109 Cr.Pc. bond condition, the accused was falsely implicated in this case wantonly that the police indulged the accused in this case, for the case of numbering the FIR and remanding the accused for statistical purpose and argued that the court may release the accused with conditions. Hence, prayed for bail. The prosecution for the state was heard over phone and through reply stated that the above said accused is an habitual offender and 109 Cr.Pc. condition comply procedure is pending against this accused and he involved in several property offence having case in Austinpatti P.S. Cr.No.78/2018, U/s.379 IPC and culprit with

history register maintained by Austinpatti Police against this accused in No.01/2015 and if the accused person is released on bail, he will tamper the evidence and commit the offence further in future. Thus, it will hamper the progress of this case. Hence, opposed this bail. On considering the both, facts and circumstance of the case, though the accused is an habitual offender in the past years, accused has not been involved in any cases for the past 2 years. Since the accused is the bread winner, married and poor person. In addition to considering the situation avail in view of COVID – 19 pandemic Lock down and period of detention in the judicial custody from 15.05.2020 for the past 8 days. Hence this court is also inclined to grant bail to the accused. Accordingly, this bail petition is allowed on following conditions.

1) The accused shall execute a bond for a sum of Rs.10,000/- with two sureties after the easement of Lock down during court working hours.

2) The accused should appear before the respondent police station, Austinpatti P.S. daily at 10.30 P.M. for the period of 30 days.

Dictated to the Steno-typist taken down by her in shorthand, transcribed and typed by her in computer, corrected and Pronounced via e-mail on this 22nd day of May 2020.

Sd/-M.C.Arun,
Judicial Magistrate,
Tirumangalam.

IN THE COURT OF THE JUDICIAL MAGISTRATE, TIRUMANGALAM

Present: Thiru.M.C.Arun, L.L.B.,
Judicial Magistrate, Tirumangalam.
Dated this the 22nd day of May 2020
Cr.M.P.No.589/2020

Pragatheswaran (Aged 27/2020)
S/o.Karunakarapandi

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Petitioners/Accused

/Vs/

State through the Sub Inspector of Police,
Austinpatti P.S.Cr.No.270/2020
U/s.387, 506(2) IPC

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Respondent/Complainant

Accused Remanded on 18.05.2020

The counsel for the accused filed bail petition U/s.437 Cr.Pc. to the E-mail ID of this court on 20.05.2020 due to outbreak of COVID - 19 Lock down and the notice also given to the App. The App also appearing for the state filed reply to the E-mail ID after getting instructions from the Investigation Officer and after hearing both sides this court passed the following.

ORDER

Heard. Records perused. The counsel for the petitioner/accused argued through phone, that the accused is falsely implicated in this case and further stated that the accused has not involved in any offence for the past 3 years and police mentioned crime No.219/17 and 213/17 is also under the investigation and the charge sheet has not been filed and the counsel stated that he is a young person and he may be released on bail. Hence, prayed for bail. The prosecution for the state was heard over phone, in their reply stated that the accused is an habitual offence and has Two previous criminal cases are pending against the accused in Thirunagar P.S. in Cr.No.219/2017, U/s.454, 457, 380 IPC and Thirupparankundram P.S. in Cr.No.213/2017, U/s.392, 457, r/w 34 IPC and if the accused person is released on bail, he will tamper the evidence and commit the offence further in future. Thus, it will hamper the progress of this case. Hence, opposed this bail. By considering the facts and circumstance of this case, the age and the past antecedents nature of accused of not involving in any case for the past 3 years and the age of the accused

and the period of detention in the judicial custody from 18.05.2020 for the past 5 days and also considering the situation avail in view of COVID – 19, pandemic Lock down. Hence this court is also inclined to grant bail to the accused. Accordingly, this bail petition is allowed on following conditions.

1) The accused shall execute a bond for a sum of Rs.10,000/- with two sureties after the easement of Lock down during court working hours.

2) The accused should appear before the respondent police station, Austinpatti P.S. daily at 10.30 P.M. for the period of 30 days.

Dictated to the Steno-typist taken down by her in shorthand, transcribed and typed by her in computer, corrected and Pronounced via e-mail on this 22nd day of May 2020.

Sd/-M.C.Arun,
Judicial Magistrate,
Tirumangalam.