

IN THE COURT OF JUDICIAL MAGISTRATE NO. IV: MADURAI.

Present R.Sundara Kamesh Marthandan, B.L.

Judicial Magistrate No.IV, Madurai

Wednesday on this 23rd day of December 2020

Cr. M.P. No. 3222 of 2020

Sathiyaseelan, (72/2020)
son of Soosaimanickam

...

Petitioner/ Accused

-vs-

State of Tamil Nadu,
Represented by Inspector of Police,
CBCID, OCU Madurai.
Crime No. 01 of 2020
under Sections 406, 420, 120B IPC

...

Respondent/Complainant.

Bail Petition filed under Section 437 Code of Criminal Procedure.

This Petition coming up today before me and upon hearing the arguments of Mr. K.Sundaravel, counsel for the Petitioner and Assistant Public Prosecutor for the Respondent, this court passes the following :

ORDER

2) This Petition is filed under Section 437 Cr. P.C. The Petitioner was arrested and remanded to Judicial Custody on 09.12.2020 for offences alleged under Sections 406, 420, 120B IPC. This is the 2nd bail petition filed by the petitioner.

3) The Petitioner contended that, he has nothing to do with the offences alleged against him and that he is innocent.

4) The Respondent had strongly opposed granting of bail to Petitioner. The Respondent contended that if the Petitioner is enlarged on bail, there is all possibility for the Petitioner to tamper with the evidence. The Respondent further contended that the custodial interrogation period is not over and that the investigation is in preliminary stage. It is further contented that the investigation has been transferred to the respondent by virtue of the order dated 31.10.2018 in CrI.O.P (MD) No.6776 of 2018 on the file of Hon'ble Madras High Court Madurai Bench. As such the Respondent made strong objection for enlarging the Petitioner on bail.

5) Considering the rival submissions made on either side, it could be seen that the Petitioner was remanded to judicial custody only on 09.12.2020 and that the Investigation is in preliminary stage and that the above case has been registered against the Petitioner. Further the investigation has been transferred to the respondent by virtue of the order dated 31.10.2018 in CrI.O.P (MD) No.6776 of 2018 on the file of Hon'ble Madras High Court Madurai Bench. The petitioner's earlier bail petition in Cr.M.P.No.2736 of 2020 was dismissed on 16.12.2020. As such there is no change of circumstances. In such circumstances this Court is not inclined to enlarge the Petitioner on bail. Hence the Bail Petition is DISMISSED.

Dictated by me to the Steno Typist and Typed by her in computer directly and corrected and Pronounced by me via e-mail on this 23rd day of December 2020.

S/d-R.Sundara Kamesh Marthandan,
Judicial Magistrate IV,
Madurai.