

IN THE COURT OF JUDICIAL MAGISTRATE MELUR

Present : Tmt. A.Jeyanthi.M.L.,  
Judicial Magistrate, Melur

Dated this the 22<sup>nd</sup> day of June 2020, Monday

CrI.M.P.No.592 /2020

In

Crime No.8/2020

Muthukumar (25 years)

S/o.Arumugam

....Petitioner /Accused

//Vs//

State through Inspector of Police,

AWPS-Melur Police Station,

Madurai District.

(Cr.No. 8/2020)

.... Respondent/ Complainant

This petition coming on this day for hearing before me in the virtual presence of Mr.Boominathan, Advocate for the petitioner and the learned Assistant Public Prosecutor for the respondent and after hearing both sides over phone, this court passed the following:-

**ORDER**

The order of this court finally disposes the bail petition filed under section 437 Cr.P.C.Due to nationwide lock down for COVID 19 virus pandemic, this petitioner/accused has filed this bail application through on line before this court. The learned Assistant Public Prosecutor also filed reply through e-mail. The respondent police also filed reply.

Heard both sides through Whatsapp video conference call. The alleged offences are u/s.294(b),323,496,506(i) of IPC and Section 4 of TNPHW Act, that the petitioner/accused and the defacto complainant were in love with each other. The petitioner married her secretly, gave false promise and had sexual intercourse with her. On 06/06/2020 the petitioner had sexual intercourse with the defacto complainant,

intimidated her to remove the thali chain, pushed her, used filthy languages and also harassed her.

The learned petitioner side counsel argued that the petitioner was remanded on judicial custody on 13/06/2020 and he has been in judicial custody for the past 10 days. The accused has been co-operative in investigation. He has family and roots in the village. He would be obliged to any conditions imposed by the court.

The Learned APP has argued that if the Petitioner/Accused is released on bail he may repeat the offence or commit some other offence, he may abscond from such place investigation not yet completed and the accused may tamper the investigation and strongly objected to release the accused on bail. This makes him a threat to society and his bail application should be rejected.

This Court is of the considered opinion that no further purpose will be served by keeping the accused in custody. In this case, the accused has family, permanent residence in the village. He is not at flight risk. On considering the facts and the circumstances of the case, the recent COVID 19 pandemic situation and in the interest of justice, this court is of the considered opinion that no benefit will come of keeping the accused in further custody.

Hence this court is inclined to enlarge the accused on bail on the following conditions:

1) The petitioner must execute a bond for Rs.10,000/- before the concerned Superintendent of Prison.

2) The petitioner has to execute a fresh bond for a sum of Rs. 10,000/- with two sureties for like sum to the satisfaction of this court within 10 working days after resuming the regular work of this court.

3) The petitioner is directed to appear before the respondent police as and when required for interrogation.

4) The accused has to appear and sign before the respondent Police Station at 10.00 A.M for a period of four week after resuming the regular work of this court.

Typed by me directly in my laptop, corrected and pronounced by me on the 22<sup>nd</sup> day of June 2020.

Sd/- A.Jeyanthi.  
Judicial Magistrate  
Melur.

To

- 1.The Petitioner through the counsel.
- 2.The Concerned Jail Authority.