

IN THE COURT OF JUDICIAL MAGSITRATE MELUR
Present : Tmt. A.Jeyanthi., M.L.,
Judicial Magistrate, Melur
Dated this the 15th day of May 2020, Friday

CrI.M.P.No.566/2020
In
Crime No.276/2020

Sundharapandi (aged 29 years)
S/o. Lakshmanan

....Petitioner /Accused

//Vs//

State through Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Cr.No.276/2020)

.... Respondent/ Complainant

This petition coming on this day for hearing before me in the presence of Mr.T.Nagarajan, 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

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

Heard both sides through Whatsapp videoconference call.The alleged offence are u/s.294(b), 323, 324, 506(ii) of IPC, that the defacto complainant and one Manikandan was attacked by the petitioner along with other accused and caused injuries. And they also threatened the defacto complainant.

The learned petitioner side counsel argued that the petitioner was remanded on judicial custody on 09/05/2020 and he has been in judicial custody for the past 7 days.The petitioner was falsely implicated in this case. The accused has been co-operative in investigation.He has family and roots in the village.

The Learned APP has argued that if the Petitioner/Accused is released on bail he may repeats the offence or commits 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. The respondent police in the reply stated that the injured person discharged from the hospital on 13.05.2020.

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. The injured person was already discharged from the hospital. On considering the length of the judicial custody, 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 from the lifting of the lockdown.

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 weeks from lifting of lockdown.

Typed by me directly in my laptop, corrected and pronounced by me on the 15th day of May 2020.

Judicial Magistrate
Melur.

To

1. The Petitioner through the counsel.
2. The Superintendent
Borstal school,
Melur.

