

In The Court of the VI Additional Sessions Judge
Madurai

Present: Thiru.T.Sambath Kumar Bsc., LLB
VI Additional Additional Session Judge

Dated: 22.05.2020

CrI.M.P.No: 628/2020

in Cr.No. 196/2009 of

B.4.Keeraithurai P.S.

(S.C.439/2016)

Suresh @ Kuttian Suresh, Aged 35/2020, A2
S/o.Paramasivam,
Plot No.429, Housing Board Colony,
Anuppanadi,
Madurai.

:Petitioner

.. Vs..

State represented by Inspector of Police
B.4.Keeraithurai P.S. Crime no: 196/2009

:Respondent

Petition filed u/s 439 Crpc. for bail.

This petition coming on for hearing through phone on today in the presence of Advocate Thiru. B.Murugan for the petitioner and the learned Additional Public Prosecutor for the respondent and having stood over for consideration this court delivered the following.

ORDER

Petitioner is the accused has filed this petition for bail. The learned counsel for the petitioner submitted that the respondent/complainant registered a case against the petitioner/accused under Section 147,148,302,120(b) IPC and the petitioner was originally released on bail and subsequently NBW was issued and subsequently he voluntarily surrendered before this court on 12.11.2018 and is in judicial custody till then and the petitioner/accused is innocent and he has not committed any offence and he has been falsely implicated in this case and he is law abiding citizen and he will not abscond and the petitioner/accused is ready and willing to offer substantial sureties for his due appearance and prayed for releasing the petitioner on bail.

In reply the learned Public Prosecutor has strongly objected to release the petitioner on bail as the petitioner has already been granted bail and since he did not appear before the court NBW was issued and on surrender he has been remanded to Judicial custody and if the petitioner is released on bail he will evade the process of the court and the petitioner has involved in several other cases also and prayed for

dismissing the petition, but he has not made any objections for granting interim bail.

Case records perused. Case has been registered under section 147,148,302,120(b) IPC. Date of occurrence is 19.04.2009. The petitioner has already been arrested and remanded to Judicial custody and subsequently released on bail. Since he did not attend the court on 31.01.2017, Non bailable warrant was issued and on his voluntary surrender before this court he was remanded to Judicial custody on 12.11.2018. It is the case of the prosecution that the petitioner along with 7 other accused committed murder of one Munis @ Muniasamy. Now the entire country is under the threat of Covid-19 virus outbreak and under lock down. Therefore the safety of every individual is paramount and therefore keeping the petitioner in the jail during lock down is not safe. Hence considering the extraordinary circumstances and the safety of the petitioner this court is of the view that the petitioner can be released on interim bail. Hence considering the facts and circumstances, this court inclined to grant interim bail to the petitioner till 05.08.2020 and accordingly the petitioner is ordered to be released on interim bail on his executing a bond for a sum of Rs 10,000/- before the Jail superintendant concerned and the petitioner is directed to surrender before this court on 06.08.2020. Accordingly this petition is ordered.

Pronounced by me on this 22nd day of May 2020.

Sd/- T.Sambathkumar,
VI Additional Sessions Judge,
Madurai

To
The Petitioner through counsel
The Addl. Public Prosecutor, Madurai
The Inspector of Police Keeraithurai P.S., Madurai
The Superintendent, Central Prison, Madurai.