

IN THE COURT OF JUDICIAL MAGISTRATE No. V, MADURAI

Present: E. Pravin Kumar, B.A.,B.L.,

Judicial Magistrate No.V, Madurai

Saturday 23rd day of January 2021

Crmp.No.358/ 2021

Murugeshwari,
W/o.Somasundaram

...Petitioner/ Accused

vs

State rep. by Inspector of police,
S.S.Colony L & O Police Station,
Crime No.1461/2016
in C.C.272/2018
U/sec. 420 , 406, 120(b)IPC

... Respondent/Complainant

For petitioner/accused: Mr.C.Kannan, Advocate

For Respondent/Complainant: Mrs.R.Thilagarani,M.L.,Grade II Assistant Public Prosecutor

23.01.2021

Order

1. The petitioner/ accused filed this petition seeking for Bail U/s.437 Crpc in Crime No.1461/2016 U/sec. 420, 406, 120(b)IPC. Notice was given to the other side. Heard both side arguments.

2. The learned counsel for the petitioners argued that this is the first bail application filed for this accused. This accused was remanded by executing NBW in C.C.272/2018 on 17.01.2021 and in judicial custody for past 7 days. This accused is falsely implicated in this case. The accused is a law abiding citizen. There is no chance of absconding or tampering the witness if the accused enlarged on bail. There is no previous case against the accused. The accused has 6 years old child and another daughter. The children are struggling without this petitioner for the daily needs. Age proof of the children filed. Hence, considering all the above facts the petitioner prayed that the bail petition may be allowed.

3. The prosecution strongly object to release the accused/petitioners on bail for the following reason. As per the police report other accused except A5 are still absconding

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stage. Non-bailable warrant pending against this petition for a long period and the same was executed by the concern police. In this stage if this accused/petitioner is released on bail she may again absconded which leads no progress in this prosecution case. She may tamper the evidence and witness. And she may commit the same type of offences. Other accused are (Except A5) wre still absconding stage. Hence this bail petition may be dismissed.

4. This court has taken into consideration the facts and circumstances of the case and gravity of offence, the number of days accused in judicial custody and the stage of the case C.C.272/2018. Hence in the interest of justice, this Court is inclined to enlarge the accused persons on bail on following conditions.

1. The accused shall execute a bond for a sum of Rs.10,000/- each with two sureties for the like sum each.
2. The accused shall appear before this court daily at 10.AM for 15 days.
3. Thereafter, the accused shall provide her residential address to the respondent police and in change of the residential address the same shall be intimated to the respondent police. The accused shall co-operate with the respondent police, she shall not tamper the evidence, she shall not induce the witnesses and shall appear before this court on summons. If there is any violation or non-compliance of the conditions above, the investigation officer is within his discretion to approach this court for cancellation of bail order.

Dictated by me to the Steno-typist and typed by her in computer directly and corrected and pronounced by me in open court on this 23rd day of January 2021.

(Sd-E.Pravinkumar)
Judicial Magistrate No. V,
Madurai.