

IN THE COURT OF JUDICIAL MAGISTRATE MELUR

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

Dated this the 30th day of July 2020, Thursday

CrI.M.P.No.668/2020

In

Crime No.1254/2020

Divakaran (aged 21 years)
S/o. Sasikumar @ Munnamalai

....Petitioner /Accused

//Vs//

State through Inspector of Police,
Melur Police Station,
Madurai District.
(Cr.No. 1254/2020)

.... Respondent/ Complainant

This petition coming on this day for hearing before me in the presence of Tr.S.M.P.Amalan, 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 lockdown for COVID 19 virus pandemic, this petitioner/accused has filed this bail application through drop box in 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. 380 IPC, that the petitioner / accused along with other accused stole copper cable wire from P.R.P Exports at Therkutheru village.

The petitioner was remanded on judicial custody on 15/07/2020 and he has been in judicial custody for the past 16 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.

This Court carefully considered the rival contentions put forth by either side. In this case, the confession statement of the petitioner was recorded. The 65 Kg wire was recovered from him. In this case, the accused has family, permanent residence in the village. He is not at flight risk. On considering the facts and circumstances of this case no further purpose will be served by keeping the accused in custody. 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 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 and 5.00 P.M for a period of four weeks after resuming the regular work of this court.

Typed by me directly in my laptop, corrected and pronounced by me on the 30th day of July 2020.

Sd/-A.Jeyanthi.
Judicial Magistrate,
Melur.

//True copy//

Judicial Magistrate,
Melur.

To
The Petitioner through the counsel.
The concerned prison

