

IN THE COURT OF JUDICIAL MAGISTRATE NO. IV: MADURAI.

Present Thiru.R.Sundara Kamesh Marthandan, B.L.

Friday on this 17th day of July 2020

Cr. M.P. No.664 of 2020

in

Crime No.195 of 2020

Ajith @ Andal Ajith,
son of Kannan

...Petitioner/Accused

-vs-

State of Tamil Nadu,
Represented by Sub-Inspector of Police,
Keeraidurai Police Station.

...Respondent/Complainant.

This Petition filed under Section 437 Code of Criminal Procedure.

This Petition coming up today before me and upon hearing the argument of Mr. J.William Christopher, counsel for the Petitioner and Assistant Public Prosecutor for the Respondent, over phone, this court passes the following :-

ORDER

1) This Petition is filed under Section 437 Cr. P.C. The Petitioner was arrested for offence alleged under Section 392, IPC and remanded to Judicial Custody on 02.07.2020

2) The Petitioner contend that the case is a purely cooked up case foisted against the petitioner for the purpose of detaining him under preventive detention Act. Based on confession of co-accused he has been indicted in this case. The alleged chain has also been recovered. He is in judicial custody for the past sixteen days.

3) The Respondent had strongly opposed granting of bail to Petitioner. That there are several previous case against the Accused. If he is enlarged on bail, there is

possibility of him, committing similar offence. The investigation is not yet completed. He may indulge in threatening the witnesses. The accused had committed similar kind of offences within a short span of five months.

4) The rival submissions made on both side was considered. On perusal of records it could be seen that the Petitioner is in Judicial Custody for the past 16 days, hence this Court is inclined to enlarge the Petitioner on bail, subject to the following conditions: -

- a. The Petitioner shall execute a bond for Rs. 10,000/- (Rupees Ten Thousand Only) for the present, before the Prison Authority.
- b. Within three weeks after the Lock Out in view of COVID-19 is over, the Petitioner shall furnish two sureties for Rs. 10,000/- (Rupees Ten Thousand Only) each.
- c. Thereafter the Petitioner shall appear before the Respondent Police for a period of Four weeks, daily morning at 10.am and evening at 5 pm.
- d. The Petitioner shall not tamper with evidence, threaten, coerce or in any way dissuade the witness to the incident.

Dictated by me to the Steno Typist and Typed by her in computer directly and corrected and Pronounced by me via e-mail on this 17th day of July 2020.

S/d- R.Sundara Kamesh Marthandan,
Judicial Magistrate IV,
Madurai.