

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

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

Tuesday on this 28<sup>th</sup> day of July 2020

Cr. M.P.No.682 of 2020

in

Crime No.196 of 2020

Thavamani,  
son of Kumaresan

...Petitioner/Accused

-vs-

State of Tamil Nadu,  
Represented by Sub-Inspector of Police,  
Jaihindpuram 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 Mrs. V.Nagalakshmi, 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 22.07.2020

2) The Petitioner contend that he is a law abiding citizen and so he will not abscond. He is innocent and he has not committed any offence as alleged. He is in judicial custody for the past seven 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.

4) The petitioner's complainant in his argument submit that the petitioner was originally remanded in connection with cases in Crime No.228/2020, 344/2020, 387/2020 and 944/2020 all in Anna Nagar Police Station and was arrested on 19.06.2020. In this case the petitioner was arrested was formely arrested in prison on 21.07.2020 and produced before this court on 22.07.2020 in prisoner in transit warrant. Further the petitioner is in jail for 43 days from the date of his initial arrest. The petitioner had obtained bail from Hon'ble Principal District Court, Madurai vide order dated 27.07.2020 made in Criminal M.P.Nos.3420, 3421, 3422 and 3423 of 2020.

5) The rival submissions made on both side was considered. On perusal of records it could be seen that though the Petitioner is in Judicial Custody for the past 7 days in this case the petitioner was arrested on 19.06.2020 in cases pending on the file of Anna Nagar Police station and in continuation he was arrested in this case, 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 E-3 Anna Nagar (Crime) Police Station Respondent Police for a period of Four weeks, daily morning at 10.am.
- 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 28<sup>th</sup> day of July 2020.

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