

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

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

Tuesday on this 14th day of July 2020

Cr. M.P. No. 666 of 2020

in

Crime No.14 of 2020

1. Abu Hyder Ali
son of Haji Ali

2. Mehenthi Asan
son of Ravuth Ali

3. Sathik Ali
son of Rabik

4. Asan Ali
son of Aasam Ali

...Petitioners/Accused

-vs-

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

...Respondent/Complainant.

This Petition filed under Section 167(ii) Code of Criminal Procedure.

This Petition coming up today before me and upon hearing the argument of Mr. V. Saravanan, 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 167 (ii) Cr. P.C. The Petitioner was arrested for offence alleged under Section 420 IPC and remanded to Judicial Custody on 13.02.2020

2) The Petitioners contend that they are law abiding citizen and so they will not abscond. They are innocent and they have not committed any offence as alleged. They are in judicial custody for the past one hundred and twenty seven days and that the Respondent has not filed Final Report so far.

3) The Respondent had strongly opposed granting of bail to Petitioners. That there are several previous case against the Accused. If they are enlarged on bail, there is possibility of them, committing similar offence. The investigation is not yet completed. They may indulge in threatening the witnesses.

4) The rival submissions made on both side was considered. On perusal of records it could be seen that the Petitioners are in Judicial Custody for the past 127 days and that the Respondent had not filed Final Report before this Court. Such being the case, the Petitioners are entitled to Mandatory Bail. Hence this Court is inclined to enlarge the Petitioners on bail, subject to the following conditions: -

- a. Each Petitioners shall execute a bond for Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties each, for like sum.
- b. Thereafter the Petitioners shall appear before the Respondent Police for a period of Four weeks, daily morning at 10.am.
- c. The Petitioners 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 14th day of July 2020.

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