

IN THE COURT OF JUDICIAL MAGISTRATE No. V, MADURAI

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

Judicial Magistrate No.V, Madurai

Friday, 10<sup>th</sup> day of July , 2020

Crmp.No. 555 /2020

Nithesh Kumar,

S/o.Muthuraj

.... Petitioner/Accused

Vs

State rep. by Inspector of police,

S.S.Colony Police Station,

Crime No.1232/2019

U/sec. 147, 148, 294(b), 324, 427, 506(2) IPC .

... Respondent/Complainant

For petitioner/accused: Mr.K.P.Karthik, Advocate (MS.1683/2016)

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

**10.07.2020**

**Order**

1. The petitioner/ accused filed this petition seeking for Bail U/s. 167(2) Crpc in Crime No.1232/2019, U/sec.147, 148, 294(b), 324, 427, 506(2) IPC . Notice was given to the other side. Heard both side arguments.

2. The learned counsel for the petitioner argued that this is the 1st bail application filed for this accused. This accused was remanded on 10.05.2020 and in judicial custody for past 62 days. Till date Charge sheet has not been filed. Therefore, the petitioner is entitled for statutory bail U/s.167(2) of Crpc. Hence, the petitioner prayed that the bail petition may be allowed.

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3. The registry has put up the petition stating that final report is not filed by the respondent police and the accused is in judicial custody for the past 62 days. The prosecution also in their oral reply has stated charge sheet has not been filed till date.

4. This court has taken into consideration the above mentioned circumstance and arguments. The petitioner is in judicial custody for past 62 days and the respondent police has not filed charge sheet before this court till date. Hence, U/s.167(2) Crpc the petitioner is entitled for statutory bail. This accused shall be enlarged on bail on him executing own bond for Rs.10,000/- to the satisfaction of Superintendent, Central Prison, Madurai.

5. Further within 3 weeks from the lifting of lockdown this accused shall surrender before this court and execute a fresh bond for Rs.10,000/- with two sureties for like sum each. The accused shall co-operate with the respondent police, he shall not threaten the witnesses, he shall not induce the witnesses and shall appear before this court on summons.

6. In the result, this bail petition is allowed.

(S/d) E. Pravin Kumar

Judicial Magistrate No.V  
Madurai.

Copy to :

1) The Superintendent, Central Prison, Madurai.

