

IN THE COURT OF JUDICIAL MAGISTRATE No. V, MADURAI

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

Judicial Magistrate No.V, Madurai

Monday, 20th day of July , 2020

Crmp.No. 565 / 2020

1. Prasanth,

S/o.Santhakumar

2. Arunpandian,

S/o.Gurusamy.

.... Petitioners/Accused

Vs

State rep. by Inspector of police,

M.Chatrapatti Police Station,

Crime No.636/2020

U/sec. 380 of IPC .

... Respondent/Complainant

For petitioner/accused: Tr.S.Suresh Kumar, Advocate (MS.1947/2000)

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

20.07.2020

Order

1) The petitioners/ accused filed this petition seeking for Bail U/s. 437 Crpc in Crime No.636/2020, U/sec.380 of IPC. Notice was given to the other side. Heard both side arguments.

2) The learned counsel for the petitioners argued that this is the 1st bail application filed for these accused. Both the accused were remanded on 14.07.2020 and in judicial custody for past 7 days . These accused have been falsely implicated in this

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case. Some Property has been sold and some property has been recovered. There is one previous case against accused Arun pandian. These accused are law abiding citizen. There is no chance of absconding or tampering with the witness if the accused are enlarged on bail. Hence considering all the above facts the petitioner prayed that this bail petition may be granted.

3) The prosecution in their reply and in their argument has stated that investigation is pending in this case. There is one previous case pending against accused prasanth the same police station. He is a habitual offender. In this stage if these accused are released on bail they may commit the same offence, and they may tamper the evidences and witnesses they may also abscond which leads prosecution case collapse. Hence, this bail petition may be dismissed.

4) This court has taken into consideration the facts and circumstances of the case gravity of offence, previous antecedents of the accused. The case is under investigation stage. Considering all the above facts and circumstances and the gravity of offence and stage of investigation, the arguments that the accused could threaten the complainant , commit similar offence and could abscond and tamper the witness causing hindrance to investigation takes relevance.

5) Hence considering all the above facts and materials, this court is not inclined to grant bail to the accused at this stage of the case. Hence in the interest of justice this bail application is dismissed.

(Sd/-E.Pravin Kumar)

Judicial Magistrate No. V,
Madurai.