

IN THE COURT OF JUDICIAL MAGISTRATE, Madurai.
PRESENT: Thiru.S.Muthu Raman B.L.,
Judicial Magistrate No.VI, Madurai
Friday 04th day of September 2020
C.M.P.No. 1742 /2020

1.KottaiEswari W/o.Steebanvarkish
2.Steebanvarkish S/o.Sebasthiyan

...Petitioner/Accused

Vs

State:
Represent by its Sub Inspector of Police
Avaniyapuram P.S.,
Cr.No.2008/2020
U/s.341,392,212,414 IPC

...Respondent/Complainant

The Bail application U/s.437 Crpc is coming before me today for bail and filed by Advocate Tr.B.Arun appearing for accused and the Assistant public prosecutor Grade-II for state, heard both sides. perused the records and this court passing following:

ORDER

1.The Case was registered by the respondent Police against the accused
U/s.341,392,212,414 IPC.

2.The accused are arrested and sent to Judicial Custody on 24.08.2020

3. The Counsel for the petitioner submitted that accused is innocent and he has not committed any offence as alleged by the police. The Police and the learned Assistant Public Prosecutor raised the objection that the accused is committing offence and he is real accused also. If the accused releasing Bail he committing the very same offence further. Almost the investigation is over. If the accused are released on bail and it is impossible to secure him for investigation.

4. Heard Both sides. Records perused.Upon considering the fact of the case, Whether the accused has committed an offence or not, can be looked in trial. The presumption of innocence is in favour of the accused till the accusation is proved. The liberty of the person can be deprived by due process of only in view of the article 21 of the Indian constitution of India. Here the accusation is to be proved in the trial only.

The apprehension expressed by the prosecution is seriously by this Court. On considering the circumstances of the cases and accused is in Judicial Custody for 11 days. In my considered view of opinion is that the accused can be released on bail by imposing suitable stringent conditions for his presence. I am inclined to enlarge the petitioners on bail on following conditions:

1.The accused is directed to executed own bond for a sum of Rs. 10.000/- like sum conditions and Satisfaction of the Superintendent, Central Prison,Madurai and Central Prison(Women), Madurai.

2. The accused shall appear and sign before respondent Police Station daily at 10.am until further orders after the withdraw of curfew and lock down.

This order is pronounced by me on 04th day of September 2020.

Sd.S.Muthuraman,
Judicial Magistrate No.VI,
Madurai

Copy to:

- 1.The Superintendent, Central Prison,Madurai,
- 2.The Superintendent Central Prison(Women), Madurai.

/True Copy/