

IN THE COURT OF THE JUDICIAL MAGISTRATE NO-I, KOVILPATTI

Present: Shri.M.Kadarkarai selvam B.A.,L.L.M.,

Judicial Magistrate No.I

Thursday the 28th day of September 2022

Crl.M.P.No: 9639 / 2022 in Cr.No. 12 / 2018

CNR. No. TNTT07-012891-2022

Augustin (Aged 42/2018)

S/o. Jeyathomas

Petitioner/Accused

vs

Inspector of police,

Kovilpatti East P.S.

Respondent/Complainant

Mr. R. Rathinavelpandiyan

For petitioner

Upon hearing the petitioner's counsel and learned APP for the state and perusing the material records before the court and having stood over for consideration till this day this court delivered the following:

ORDER

Reply received

The petitioner filed the above petition seeking bail u/s 437 of Cr.p.c for the alleged offence U/s. 416, 420 IPC and he was remanded to judicial custody on 30.08.2022

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2. The learned counsel for the petitioner/accused would submit that the petitioner/accused was falsely implicated in this case by the respondent police. The accused is innocent person and law abiding citizen and the petitioner is in Judicial custody for the past 30 days. Hence, the petition may be allowed on any conditions.

3. Per contra, the learned APP would vehemently contend that if the accused was released on bail he will do the same offence which he was accused or of the commission of which he was suspected in this case and investigation also pending. Hence, the petition required to be dismissed.

4. I have heard the learned counsel for the petitioner/accused and the learned APP for the state and also perused the entire materials available on records it appears that the petitioner is in judicial custody for the past 30 days and the petitioner is a habitual offender. Investigation of the case was also preliminary stage and the petitioner

judicial custody from 30.08.2022 alone is not sufficient to enlarged accused on bail. In the above circumstances and looking into the nature of allegation, the role attributed to the petitioners/accused, the fact that investigation regarding the offence is underway, possibility of tampering evidence and influencing witnesses, this court is of the opinion that it is not a fit case for grant o f bail at this stage even on merits.

In the result, this petition is deserves to be dismissed and is accordingly dismissed.

The above order was dictated to Steno - Typist and typed by her and verified, pronounced by me in the open court this the 28th day of September 2022.

Judicial Magistrate No. 1,
Kovilpatti