

In the Court of Judicial Magistrate, Ambasamudram

Present: Thiru.A. Palkalaiselvan,B.A.,B.L.,
Judicial Magistrate, Ambasamudram.

Monday, the 29th day of August, 2022

CRLMP. No. 4079/2022
(CNR.No.TNTLOE -005544-2022)

Vinothkumar @ Mohamed Nazeer,
S/o. Radhakrishnan,
Thakkalai.

---- Petitioner/ Accused

// VS//

Sub Inspector of Police,
Kadayam P.S.
Cr.No.160/2022

---- Respondent / Complainant

This 2nd Bail petition is filed and taken on file on 24.08.2022. This petition is coming on this day before this court for hearing in the presence of Mr.V. Vijayan, B.A., B.L., learned counsel for petitioner and Assistant Public Prosecutor, Grade II Judicial Magistrate Court, Ambasamudram for state. After hearing the argument of both sides after perusing the material records before this court and having stood over till this day for consideration, this court delivered the following.

ORDER

The bail petition is filed U/s.437 of Cr.p.c.

1. The case of the prosecution is that the petitioner/accused said to be committed to theft of bike. Therefore FIR is registered in Cr.No.160/2022 for the alleged offence U/s.379 of IPC. The accused is arrested and remanded to Judicial Custody on 14.07.2022.

2. The contention of the learned counsel for petitioner/accused is that the petitioner/accused is an innocent person and the case is foisted against this petitioner. The petitioner/accused is ready to abide by any condition imposed by this court for releasing him on bail.

3. Reply received from the respondent police. The prosecution has strongly opposed to grant bail stating that investigation is in initial stage. If the petitioner/accused is released on bail he will abscond and he will not appear before this Court, further he will tamper the evidence. If he released on bail he will commit similar offence. Hence objected to grant bail.

4. Heard both sides. Both side submission considered and carefully perused the material records available before this court. In this case petitioner is arrested and remanded to judicial custody on 14.07.2022. On perusal of records it appears that the petitioner/accused said to be committed to theft of bike. The investigation not yet completed. The prosecution side strongly objected. Therefore considering, the antecedents of the accused, nature and gravity of the offence and pendency of the investigation, this court is not inclined to grant bail to the petitioner/ accused.

In the result, bail petition is hereby dismissed.

This order dictated to the Typist, typed by her and corrected and pronounced by me in Open Court on this the 29th day of August, 2022.

Judicial Magistrate,
Ambasamudram.