

Crl.O.P.No.11430 of 2016

S.VAIDYANATHAN, J.

The petitioners, who were arrested and remanded to judicial custody on 26.03.2016 for an alleged offences punishable under Sections 294(b), and 323 of IPC r/w.3(1)(V) & (X) of SC.ST (POA) Act 1989 and the Amendment Act, 2015 in Crime No.88 of 2016 on the file of the respondent police, seek bail.

2. The petitioners are arrayed as A1 and A2. The case of the prosecution is that in a wordy quarrel, the petitioners are alleged to have abused the defacto complainant in filthy language and scolded her by mentioning her caste name.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any such offence and they have been falsely implicated in this case.

4. Heard the learned Government Advocate (Crl. Side) for the respondent.

5. Considering the facts and circumstances of this case and considering the period of incarceration of the petitioners, I am inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on each of them executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Special Judge, Special Court for Exclusive Trial of Case registered under SC/ST (POA) Act, Villupuram, and on further condition that:

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[a] the petitioners shall appear before the respondent police daily at 10.30 a.m. until further Orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

07.06.2016

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