

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**Criminal Appeal No.614 of 2017**

Kuppusamy

Appellant

Vs

State rep. By  
The Sub Inspector of Police  
Kalavai Police Station  
Vellore District  
(Crime No.172 of 2017)

.. Respondent

**Prayer:-** Criminal Appeal filed under Section 14(A)(2) of SC/ST Act, 1989, against the dismissal of bail petition filed by them before the learned Principal Sessions Judge, Vellore, Vellore District in CrI.M.P.No.3721 of 2017 dated 19.09.2017.

For Appellant : Mr.V.R.Appaswamee  
For Respondent : Mr.P.Govindarajan, APP

**JUDGEMENT**

This Criminal Appeal has been filed under Section 14(A)(2) of SC/ST Act, 1989, against the dismissal of bail petition filed by the appellant before the learned Principal Sessions Judge, Vellore, Vellore District in CrI.M.P.No.3721 of 2017 dated 19.09.2017.

2. The appellant has been arrayed as a sole accused in Crime

No.172 of 2017 on the file of the respondent police under Section 302 IPC r/w

3(1)(s), 3(2)(v) of SC/ST Act, 1989. The appellant was arrested on 23.08.2017. He is aged 62 years. The allegation against him is that there was an altercation between the appellant and the deceased. The appellant appears to have assaulted the deceased with bare hands, due to which the deceased had fallen down, suffered injury and died on the way to hospital.

3. Considering the nature of the overt act attributed to the appellant and the fact that he was in custody since 23.08.2017 and that he is also aged about 62 years, I am inclined to grant bail to the appellant.

4. The order dated 19.09.2017 passed by the learned Principal Sessions Judge, Vellore, Vellore District in Crl.M.P.No.3721 of 2017 is set aside and the Criminal Appeal stands allowed. The appellant shall be released on bail on his 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 District Munsif cum Judicial Magistrate, Arcot. The appellant is directed to appear before the respondent as and when required.

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To

1.The Sub Inspector of Police  
Kalavai Police Station  
Vellore District

2. The Principal Sessions Judge, Vellore, Vellore District

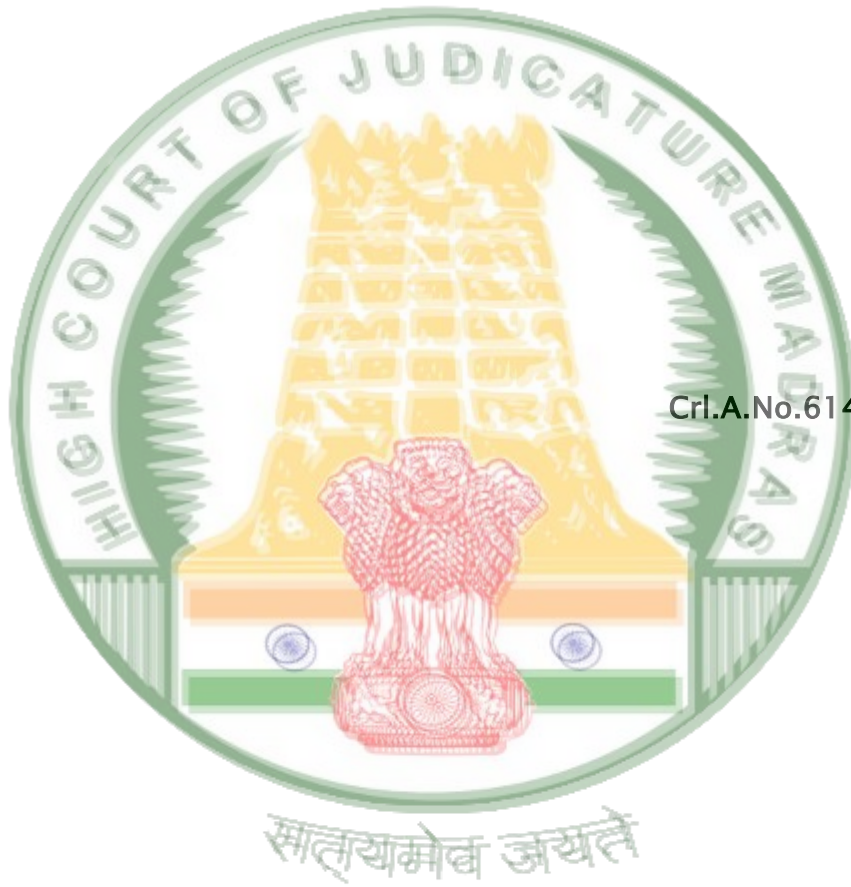
3. The Public Prosecutor,

<http://www.judis.nic.in>  
<http://www.judis.nic.in>

High Court, Madras.

G.R.SWAMINATHAN, J

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Crl.A.No.614 of 2017

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