

Crl.M.P.No.7592 of 2017
in
Crl.A.No.327 of 2017

V.PARTHIBAN, J.

The petitioner, who is accused No.3 in Special S.C.No.231 of 2015 on the file of the learned Sessions Judge, Special Court Exclusive Trial of Cases registered under scheduled castes and scheduled tribes (Prevention of Atrocities), Act, 1989, Villupuram, by judgment dated 19.05.2017, by granting him appeal bail under Section 389(1) Code of Criminal Procedure pending disposal of the above appeal.

2. After trial, petitioner/appellant/Accused 3 was convicted and sentenced as under:-

Under Sections 3(1)(r) & (s) of Scheduled Castes and Scheduled Tribes (Prevention Of Atrocities) Amendment Act, sentenced to undergo one year simple imprisonment with fine of Rs.5000/- i/d to undergo simple imprisonment for 3 months.

3. The learned counsel for the petitioner submitted that the petitioner/appellant/Accused 3 has a fair chance of success in the appeal and there are triable issues in the main criminal appeal. He also submitted

that the petitioner has paid the fine amount of Rs.5,000/- on 19.05.2017 before the Special court and the sentence of imprisonment has been suspended till 19.06.2017. In the circumstances, he may be granted bail.

4. Heard the learned Government Advocate appearing for the State.

5. I have considered the rival submissions, perused the judgment of the trial court and the evidence pointed out by either side.

6. Considering the facts and circumstances of the case, I find that some arguable points are involved in this criminal appeal, which are required to be examined in detail. Accordingly, I am inclined to grant the following relief:-

(a) Appeal bail is granted to the petitioner/appellant/Accused 3.

(b) His sentence of imprisonment alone is suspended on condition that the petitioner executes 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 Special Court for Exclusive Trial of Cases, Villupuram.

20.06.2017

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