



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

WEB COPY

Cr1.A(MD)No.394 of 2017

Anath @ Ananthkumar : Appellant/Sole Accused

Vs.

State through

1.The Deputy Superintendent of Police,
Rameswaram,
Ramanathapuram District.

2.The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District.
In Crime No.201/2017

: Respondents/Complaints

PRAYER: Criminal Appeal is filed under Section 14A(2) of SC / ST (POA) Act, to call for the records relating to the order in Cr.M.P.No.2276 of 2017 dated 22.09.2017 on the file of the learned Principal District Sessions Judge, (PCR Act Cases), Ramanathapuram and set aside the same and grant bail to the appellant by allowing this criminal appeal.

For appellant : Mr.M.Subash Babu
For Respondents : Mr.K.S.Durai Pandian
Additional Public Prosecutor.

JUDGMENT

The appellant filed this appeal to enlarge him in connection with the case in Crime No.201 of 2017 on the file of the respondent police.

2.The case of the prosecution is that on 14.09.2017 the appellant attacked the de-facto complainant and caused injuries. Further, the appellant and other accused denigrated the de-facto complainant using his caste name. Pursuant to the above, the case has been registered in Crime No.201 of 2017 for offence under Sections 294(b), 324 and 326 IPC and 3(1)(x) SC/ST (Prevention of Atrocities) Act.

3.The learned counsel appearing for the appellant submitted that the appellant is innocent and he has not committed any offence as alleged in the FIR.

<https://hcservices.ecourts.gov.in/hcservices/>
The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that the appellant is arrayed as an accused in this case and he was arrested on



14.09.2017 and the investigation is still pending. He further submitted that the injured had already been discharged from the hospital.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration of the appellant and the injured had already been discharged from the hospital, this Court is inclined to allow the appeal and grant bail to the appellant.

6. Accordingly the Criminal appeal is allowed and the appellant is ordered to be enlarged on bail subject to the following conditions:-

(i) The appellant shall execute 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 Principal District Sessions Judge, (PCR Act Cases), Ramanathapuram.

(i) the appellant shall appear before the respondent Police daily at 10.30 a.m., until further orders.

Sd/-

Assistant Registrar/
Vacation Officer

/True Copy/

Sub-Assistant Registrar

To

- 1.The Principal District Sessions Judge,
(PCR Act Cases), Ramanathapuram.
 - 2.The Deputy Superintendent of Police,
Rameswaram, Ramanathapuram District.
 - 3.The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
 - 5.The Officer Incharge,
District Jail, Ramanathapuram.
- +One cc to Mr.M.Subash Babu, Advocate, SR.No.31686

Ns/Gns/Smi

RL/7C/2P/SKN/RSK/SAR2/28/9/2017

Order made in
Crl.A(MD)No.394 of 2017
27.09.2017