

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

Crl.A.No.221 of 2018

1. Manimaran

2. Aalazu

3. Duraipandi ... Appellants/Petitioners/Accused (A1-A3)
Vs.

State Rep. by
The Inspector of Police
Anupparpalayam Police Station,
Tiruppur. ... Respondent/Respondent/Complainant

Prayer:- Criminal Appeal filed under Section 14(A) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, to set aside the order in Crl.M.P.No.490 of 2018, dated 28.03.2018 on the file of the Principal Sessions Court, Tiruppur and to allow this appeal and enlarge the appellant / accused 1 to 3 on bail in connection with Crime No.268 of 2018 on the file of the respondent, Anupparpalayam Police Station, Tiruppur City, Tiruppur District.

For Appellants : Mr.P.Kalimuthu
For Respondent : Ms.M.Prabhavathi Ganesh Ram
Additinoal Public Prosecutor

JUDGMENT

Heard both sides. सत्यमेव जयते

2. This Criminal Appeal has been filed seeking to set aside the order in Crl.M.P.No.490 of 2018, dated 28.03.2018 on the file of the Principal Sessions Court, Tiruppur and enlarge the appellants on bail.

3. The learned counsel appearing for the appellants contend that the appellants are in custody from 15.03.2018; that they are innocent of the offence; that they are aged between 19 and 30 years; that they are having permanent residence; that there is no bad antecedence as against the appellants and therefore they may be enlarged on bail.

4. The learned Additional Public Prosecutor argued that the appellants went inside the bakery in drunken mood and attacked the victims / employees in the bakery for asking them not to smoke and that the investigation is at preliminary stage. However, the learned Additional Public Prosecutor fairly concedes that the victims have been discharged from the hospital and their custody is not required for investigation.

5. Considering the age of the appellants, nature of the offence, discharge of the victims from the hospital, the fact that the appellants are having permanent residence and also the entire facts and circumstances of this case, this Court is inclined to enlarge the appellants on bail and the order of the learned Principal Sessions Judges is to be set aside.

6. In the result, this Criminal Appeal is allowed and the order, dated 28.03.2018 made in CrI.M.P.No.490 of 2018 on the file of the Principal Sessions Court, Tiruppur is set aside. The appellants / accused are ordered to be enlarged on bail on their executing a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.III, Tiruppur. The appellants are directed to co-operate with the investigation whenever they are required and the appellants / accused are also directed to appear before the Judicial Magistrate No.III, Tiruppur at 10 a.m on every Monday for a period of two months.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

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To

1. The Principal Sessions Court,
Tiruppur.
2. The Judicial Magistrate No.III, Tiruppur.
- 3 Do Thro The Chief Judicial Magistrate, Tiruppur.
4. The Public Prosecutor
High Court of Madras.

5. The Inspector of police
Anupparpalayam Police Station
Tiruppur.

6. The Superintendent, Central Prison, Coimbatore.
(in duplicate for communication to the Accused)

+1 CC to Mr.P. Kalimuthu, Advocate sr 6587(06/04/2018)

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SP(05/04/2018)



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