

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl.A.No.320 of 2018

Suresh ...Appellant/Petitioner

..Vs..

The State Rep.by  
Station House Officer,  
Kachirayapalayam Police Station,  
Villupuram District  
Crime No.663 of 2017 ...Respondent/Complainant

PRAYER: Criminal Appeal filed under Section 14-A of S.C.S.T.Act (Prevention of Atrocities Amendment Act, to set aside the order dated 04.05.2018 made in Crl.M.P.No.470 of 2018 on the file of the Sessions Judge, Special Court for SC/ST Act, Villupuram by allowing this Criminal Appeal and enlarge the petitioner on bail pending investigation in Crime No.663 of 2017 on the file of the respondent police.

For Petitioner : Mr.V.Gunasekar

For Respondent : Mr.R.Surya Prakash  
Government Advocate (Crl.Side)

O R D E R

The learned counsel for the appellant has preferred this appeal against the order of the rejection of bail for alleged offences under Section 498 (A) IPC read with Sections 3(1)(s), 3(1)(z) of the SC and ST (Prevention of Atrocities) Act.

2. The case of the prosecution is that First Information Report and defacto complainant's statement it reveals that the defacto complainant got acquainted with the accused when both of them were working in a garment store in Sriperumpudhur. Both of them loved each other, since the petitioner stated that his parents are no more, the parents of the defacto complainant arranged for marriage. Both of them got married and they have a son. Only when the victim girl became pregnant, the petitioner informed her that his parents are

alive and told the defacto complainant that his father had a heart attack and he had to go to his native place and thereafter the petitioner did not return back to Andhrapradesh. Thereafter the defacto complainant came to know that the petitioner had married another lady and cheated her. At present the defacto-complainant and her child are living with her father in Andhrapradesh State.

3. The learned counsel for the petitioner has submitted that the false case has been foisted against him and they have working in garment store and necessary ingredients of the alleged offence under Sections 3(1)(s), 3(1)(z) of the SC/ST (POA) Amendment Act does not made out.

4. Per contra, the learned Government Advocate (Crl.side) has submitted that as per the compliant, they married in a temple and the defacto-complainant was made pregnant and thereafter, he left the place and since the petitioner not return back to the Andhra pradesh and she gave the complaint to the Chittoor District, Andhrapradesh and case has been transferred and taken up and registered against him and matter has been pending.

5. It appears from the records that before the trial Court, the defacto-complainant appeared in person and has raised the objections and same was recorded.

6. Considering the nature and gravity of the averments made in the allegations made in the complaint and also the preliminary stage of the investigation, I am not inclined to grant bail by way of appeal in this. It is open to the petitioner/appellant to move bail application at a later point of time.

7. With this liberty, this Criminal Appeal is dismissed.

Sd/-

Assistant Registrar(CS IX)

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Sub Assistant Registrar

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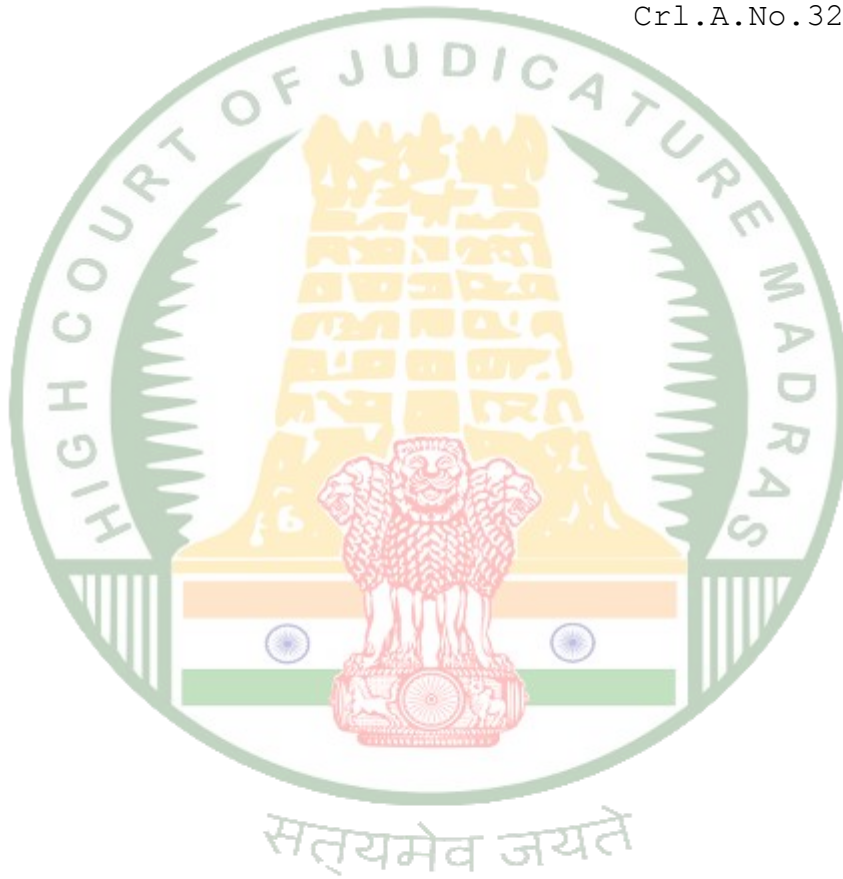
1. The Sessions Judge,  
Special Court for SC/ST Act,  
Villupuram

2.The Officer Incharge,  
Sub Jail,  
Kallakurichi.

3.The Public Prosecutor  
High Court, Madras.

GP(CO)  
sm:26.6.2018

CrI.A.No.320 of 2018



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