

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl.A.No.322 of 2018

Ramesh

...Appellant/Petitioner

..Vs..

The State by Deputy Superintendent of Police,
Nallur Police Station,
Namakkal District,
Crime No.136 of 2018

..Respondent/Respondent

PRAYER: Criminal Appeal filed under Section 14-A of S.C.S.T.Act (Prevention of Atrocities Amendment Act, to set aside the order passed in C.M.P.No.620 of 2018 dated 31.05.2018 on the file of Vacation Sessions Judge/Principal Sessions Judge, Namakkal and to enlarge the petitioner on bail in connection with the Crime No.136 of 2018 pending investigation on the file of respondent police and to allow the above Criminal Appeal.

For Petitioner : Mr.R.Nalliyappan

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

सतयमेव जयते
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 Sections 354 IPC read with Sections 3(1)(r) and 3(1)(s) of the SC and ST (Prevention of Atrocities) Act and Section 3 of the Explosive Substances Act read with Section 3 of the TNPPDL Act.

2. The case of the prosecution is that the appellant abused the de-facto-complainant and his daughter in a filthy language and used the caste name in a public place and also thrown a dynamic bomb on the house of the de-facto complainant and caused damages to the tune of Rs.1,000/-.

3. The learned counsel for the petitioner has stated that the ingredients of the alleged offence under the SC and ST Act are not satisfied and hence, he seeks bail.

4. The learned Government Advocate (Crl. Side) stated that the appellant was apprehended and remanded to Judicial custody on 16.05.2018.

5. After going through the records and also perusing the order passed by the learned Principal District and Sessions Judge, Namakkal and taking into consideration the averments and allegations made in the complaint and also the throwing of the dynamic bomb by the accused and also that the investigation is pending, I am not inclined to grant bail to the appellant. Hence, this appeal is dismissed. Petitioner/applicant is at liberty to move Bail application at a later point of time on advancement of stage of investigation.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Vacation Sessions Judge/
Principal Sessions Judge, Namakkal

2.The Chief Judicial Magistrate,
Namakkal.

3.The Judicial Magistrate,
Paramathy.

4.The Deputy Superintendent of Police,
Nallur Police Station,
Namakkal District.

5.The Superintendent,
Central Prison,
Salem.

6.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Nalliyappan, Advocate sr.no.36528

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