

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl.A.No.329 of 2018

Manikandan ..Appellant/Petitioner/Accused

..Vs..

State rep by
The Inspector of Police,
Nallur Police Station,
Namakkal District

..Respondent/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 bail dismissal order passed against the appellant on 31.05.2018 in Crl.M.P.No.631 of 2018 on the file of Court of Vacation Sessions Judge/Principal Sessions Judge, Namakkal and grant bail in connection the Crime No.136 of 2018 on the file of the respondent police pending investigation.

For Petitioner : Mr.G.Anbuechezheian

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

सत्यमेव 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 uttered the caste name in a public place and also thrown a dynamite 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 (POA) 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 dynamite 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. It is open to the petitioner/appellant to move bail at a later point of time.

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

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 Inspector of Police,
Nallur Police Station,
Namakkal District

3. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr. G. Anbuchezhian, Advocate Sr.37748

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CA(CO)
EU(25/06/2018)

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