

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

CrI.A.No.423 of 2018

Arul lio

... Appellant/Accused

.. Vs ..

State Rep. by

The Sub-Inspector of Police,

All Women Police Station,

Jayamkondam,

Ariyalur District.

(Crime No.13/2018).

... Respondent/Complainant

PRAYER: Criminal Appeal filed under Section 14 of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Amendment Act 2015, seeking to grant bail in connection with Crime No.13 of 2018 on the file of the Sub-Inspector of Police, All Women Police Station, Jayamkondam and set aside the order dated 17.07.2018 made in CrI.M.P.No.1225 of 2018, on the file of the learned Principal Sessions Judge, Ariyalur and allow the appeal.

For Appellant : Mr.R.Subramanian

For Respondent : Mr.R.Surya Prakash,
Government Advocate

ORDER

This Criminal Appeal is filed against the order dated 17.07.2018 passed by the learned Principal Sessions Judge, Ariyalur, in CrI.M.P.No.1225 of 2018, dismissing the bail petition filed by the appellant herein for the alleged offences under Sections 417, 294(b) and 506(i) of IPC r/w. 3 (1) (s), 3(1) (w) (i), 3(2) (va) of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. According to the learned counsel for the appellant, a false case has been foisted against the appellant and he is in custody since 26.06.2018.

3. Learned Government Advocate would submit that the statement of the de facto complainant has been recorded under Section 164 of Cr.P.C. It is further submitted that the appellant, on promising to marry the de facto complainant, had sexual intercourse and thereafter, refused to marry her and

when the petition enquiry was taken up by the All Women police, Jeyamkondam, after enquiry, the appellant had promised to marry the de facto complainant within a period of one month and when the de facto complainant asked about the registering of the marriage, it is alleged that the appellant had abused in filthy language and threatened her and accordingly, the case has been registered and the same is now under investigation.

4. After perusing the statement recorded under Section 164 of Cr.P.C. by the learned Judicial Magistrate No.I, Ariyalur, on 23.07.2018 and also the medical report of the de facto complainant, I am not inclined to grant bail to the appellant/accused.

5. In this view of the matter, this Criminal Appeal is liable to be dismissed and accordingly, the same is dismissed. However, liberty is given to the appellant/accused to move the Special Court in future.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Sessions Judge,
Ariyalur.

2. The Sub-Inspector of Police,
All Women Police Station,
Jayamkondam,
Ariyalur District.

3. The Public Prosecutor,
High Court, Madras.

4. The Superintendent
Central Prison,
Trichy.

VSNI I(CO)
sm:14.08.2018

Cr1.A.No.423 of 2018