

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Criminal Appeal No.444 of 2018

G.Ranjith
1

... Appellant/Accused

Versus

The State rep. By
The Inspector of Police,
Patchal Police Station,
Crime No.444 of 2018,
Tiruvannamalai District.

...Respondent/Complainant

Criminal Appeal filed under Sections 14-A of S.S. S.T.ACT (Prevention of Atrocities) Amendment ACT 2015 r/w 374 (3) of the Code of Criminal Procedure, to set aside the order dated 27.07.2018 made in C.M.P.No.2825 of 20198 on the file of the learned Principal District Sessions Court, Tiruvannamalai and enlarge the appellant on bail in connection with the case in Crime No.444 of 2018 on the file of the respondent police by allowing this Criminal Appeal.

For Appellant : Mr.N.Manokaran
For Respondent : Ms. Thankira

Government Advocate (Crl.Side)

सत्यमेव जयते
JUDGMENT

The appellant, who was arrested on 22.07.2018 for the offence under Sections 147, 148, 294 (b), 323, 324, 506(2) IPC and Sections 3 (1) (r) and 3 (1) (s) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015 in Cr.No.444 of 2018 on the file of the respondent police, seeks bail.

2.The appellant herein has been arrayed as 1st accused in this case. The case of the prosecution is that the appellant along with the other accused persons waylaid the defacto-complainant Ajithkumar and assaulted him with hands and legs and abused him by referring his caste name. Hence, the defacto-complainant lodged a complaint against the accused persons and a case in Cr.No.444 of 2018 was filed by the respondent-Police under Sections 147, 148, 294 (b), 323, 324,

506(2) IPC and Sections 3 (1)(r) and 3 (1) (s) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015. The appellant was arrested on 22.07.2018. The appellant filed a bail petition before the Court below, but, the said bail petition was dismissed by the Court below. Hence, the appellant has come forward with the present appeal.

3. Heard the learned counsel for the appellant as well as the Government Advocate (Crl.Side) and perused the material available on record.

4. It is reported that the appellant is under incarceration for nearly one month and the injured person/defacto-complainant has been discharged from hospital. Considering the nature of the case and the period of incarceration, this Court is inclined to grant bail to the petitioner on imposing certain conditions.

5. Accordingly, the appellant is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the Special Court for SC/ST Act cases (Principal District & Sessions Court), Tiruvannamalai and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the appellant shall report before the learned Special Court for SC/ST Act cases (Principal District & Sessions Court), Tiruvannamalai, daily at 10.30 a.m. until further orders;

(c) the appellant shall not tamper with evidence or witness either during investigation or trial;

(d) the appellant shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant released on bail by the learned Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-

Assistant Registrar(CS)

//True Copy//

To

1.The Inspector of Police,
Patchal Police Station,
Crime No.444 of 2018,
Tiruvannamalai District.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.N.Manokaran, Advocate SR.No. 57726

Crl.A.No.444 of 2018

PVS (CO)
ASK(11/09/2018)



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