



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Cr1.O.P. (MD) No.2706 of 2018

Ramasamy

... Petitioner

Vs.

1.Imam Oli

2.Basheer Mohammed

3.S.Mohammed Yusuf

4.Galeef Rahuman

5.The Inspector of Police
Ganesh Nagar Police Station
Pudukottai

... Respondents

PRAYER: Criminal Original Petition is filed under Section 439(2) r/w 482 of the Code of Criminal Procedure, to cancel the bail order in Cr1.M.P.No.425 of 2018 dated 12.02.2018 passed by the Principal District Court, Pudukottai and set aside the same with costs.

For Petitioners	:	Mr.R.Venkatesan
For R-5	:	Mr.A.Robinson
		Government Advocate
		(Criminal side)
For R1 & R3	:	Mr.v.Singan
For R2 & R4	:	Mr.J.Anand Kumar

ORDER

This application is filed for cancellation of bail granted in favour of the accused in Crime No.13 of 2018 on the file of the Ganesh Nagar Police Station.

2.The accused, namely, Imam Oli and others have been implicated for the offences punishable under Sections 420, 120(b), 465, 471, and 447 I.P.C r/w Section 3(1) of SC/ST (POA) Amended Act, 2015.



3. This Court by an order dated 01.02.2018 directed the accused to surrender before the trial Court and on such surrender, the learned Principal Sessions Judge Cum Special PCR Court, Pudukkottai was directed to consider their bail petition on merits and in accordance with law, after issuing notice to the defacto complainant under Section 15 A of the SC/ST Act.

4. It is now submitted that even before receiving the said notice by the defacto complainant under Section 15(A), bail was granted in favour of the accused. Therefore, the defacto complainant has moved this Court for cancellation of the bail given in their favour.

5. If the defacto complainant is aggrieved by granting of bail in the case arising under the Provisions of SC & ST Act 1989, only appeal under Section 14 (A) of the Act would lie. Therefore, the petition under Section 482 Cr.P.C. is dismissed as not-maintainable.

Sd/-
Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

msa

To

1. The Principal District Judge,
Pudukkottai.
2. The Inspector of Police
Ganesh Nagar Police Station
Pudukkottai
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.R.VENKATESAN, Advocate SR.No.63441

Cr1.O.P(MD)No.2706 of 2018
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SMA/CM/SAR-2/17.05.2018:2P/5C