



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Crl.A.(MD)No.237 of 2018

WEB COPY

Saravanan

... Petitioner/Accused No.1

Vs.

1.The State

The Deputy Superintendent of Police,
Rameswaram, Ramnad District.

2.State Rep.by

Inspector of Police,
Rameswaram Town Police Station,
Ramnad District.
Crime No.21 of 2018.

... Respondents/Complaint

3.Krishnaveni

...3rd Respondent/Defacto
Complainant

PRAYER: Criminal Appeal filed under Section 14 A (2) of SC/ST (POA) Act, 1989 as amended by Act 1 of 2016, to call for the records pertaining to the order dated 11.05.2018 made in Cr.M.P.No.579 of 2018 on the file of the Sessions Judge, Fast track, Mahila Court, Ramanathapuram, Ramnad District and to set aside the same and enlarge the appellant on bail in connection with crime No. 21 of 2018 on the file of the respondent Police by allowing this Criminal Appeal.

For Appellant : Mr.R.Jegadeeswaran

For R1 & R2 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl. Side)

JUDGMENT

The appellant, who was arrested on 19.04.2018, for the offences punishable under Sections 9(a) (I) 9(m) r/w 10 of POCSO Act 2012 and 341, 506(1) IPC and Section 3(1) (r) (i) of SC/ST (POA) Act, 2015 in Crime No.21 of 2018 on the file of the respondent police, seeks bail.

2.The appellant has filed a petition in Cr.M.P.No.579 of 2018 before the learned Sessions Judge, Fast Track, Mahila Court, Ramanathapuram, Ramnad District and the same was dismissed on 11.05.2018. As against the same, the appellant has filed the present Criminal Appeal for the above said relief.



3.The case of the prosecution is that the petitioner is said to have sexually harassed the defacto complainant's minor daughter, who is belonging to the scheduled caste.

4.The learned counsel for the appellant submitted that the appellant is an innocent person and he has been falsely implicated in this case.

5.The learned Government Advocate (Crl. Side) appearing for the State submitted that investigation is still pending.

6.Considering the facts and circumstances of the case and also taking note of the period of incarceration of the appellant, I am of the view that the appellant could be enlarged on bail. Accordingly, the Criminal Appeal is allowed and it is ordered that the appellant shall be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Fast track, Mahila Court, Ramanathapuram, Ramnad District and on further condition that the appellant shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1.The Sessions Judge, Fast track, Mahila Court,
Ramanathapuram,
Ramnad District.

2.Do Through The Principal District Judge,
Ramanathapuram.
Ramanathapuram.

3.Do Through The Chief Judicial Magistrate,
Ramanathapuram.

4.The Deputy Superintendent of Police,
Rameswaram, Ramnad District.

5.The Inspector of Police,
Rameswaram Town Police Station,
Ramnad District.

6.The District Collector,
Ramanathapuram District.



7.The Officer Incharge,
Sub Jail,
Ramanathapuram.

8.The Addititional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.

+1CC to Mr.R.Jegadeeswaran Advocate in SR.No.65785.

GNS/AKV

DS/SV/MMS/SAR-1 :18.05.2018: 3P/10C

Crl.A.(MD)No.237 of 2018
17.05.2018