



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Crl.A.(MD)No.238 of 2018

WEB COPY

1.Ayyappan

2.Raja

3.Murugan

... Appellants/Accused Nos.3,4 and
Accused Rank Not Known

Vs.

State Rep.By

The Inspector of Police,

Sempatti Police Station,

Dindigul District

(Crime No.153 of 2018)

... Respondent

PRAYER: Criminal Appeal filed under Section 14 A (2) of SC/ST (POA) Amendment Act, 2015 to set aside the order dated 10.05.2018 made in Crl.M.P.No.48 of 2018 on the file of the learned District and Sessions Judge(Vacation Court), Dindigul and enlarge the petitioners on bail in connection with Criminal Case in Crime No.153 of 2018 on the file of the respondent Police.

For Appellants : Mr.J.Lawrance

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

JUDGMENT

The appellants, who were arrested for the offences punishable under Sections 147, 148, 294(b), 324, 427, 506(ii) IPC r/w Section 3(1) (s) and 3 (2) (va) of SC/ST (POA) Amendment Act, 2015 in Crime No.153 of 2018 on the file of the respondent police, seeks bail.

2.The appellants have filed a petition in Crl.M.P.No.48 of 2018 before the learned Sessions Judge, Dindigul (Vacation Court) Dindigul and the same was dismissed on 10.05.2018. As against the same, the appellants have filed the present Criminal Appeal for the above said relief.

3.The case of the prosecution is that due to water dispute, the appellants are said to have abused the defacto complainant by using his caste name.

<https://hcservices.courtservice.in/hcservices/>
4.The learned counsel for the appellants submitted that the appellants are innocent persons and they have been falsely implicated in this case.



5. The learned Government Advocate (Crl. Side) appearing for the respondent Police 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 appellants could be enlarged on bail. Accordingly, the Criminal Appeal is allowed and it is ordered that the appellants 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 (Vacation Court), Dindigul and on further condition that the appellants 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 Principal Sessions Judge (Vacation Court), Dindigul
 2. The Judicial Magistrate No.II,
Dindigul.
 3. The Chief Judicial Magistrate,
Dindigul.
 4. The Inspector of Police,
Sempatti Police Station,
Dindigul District.
 5. The Officer -in- Charge,
District Prison,
Dindigul.
 6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr.J.LAWRANCE, Advocate, SR.No. 65603

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GNS/AKV