



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2018

CORAM:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN**Cr1.A(MD)Nos.313, 314 and 324 of 2018**

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Cr1.A(MD)No.313 of 2018:

Meenakshi : Appellant/ Accused No.4
Vs.

1. State rep. By
The Deputy Superintendent of Police,
Manamadurai Sub Division,
In Pazhayanoor P.S. Crime No.32/2018,
Manamadurai Taluk,
Sivagangai District. : First Respondent/
Complainant
2. Maheswaran : Second Respondent/
De facto complainant

PRAYER: Criminal Appeal is filed under Section 14 A(2) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, praying to call for the entire records relating to the order dated 02.07.2018 in Cr.M.P.No.1500 of 2018 on the file of the learned Sessions Judge, Special Court for Trial of Cases under SC-ST (POA) Act, 1989, Sivagangai and set aside the same as arbitrary and consequently to release the appellant on bail in connection with Crime No.32 of 2018 on the file of the first respondent police station.

For Appellant : Mr.N.Anathapadmanaban
for M/s.APN Law Associates
For Respondent No.1 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor.
For Respondent No.2 : No appearance
For intervenor : Mr.A.Gopal

Cr1.A(MD)No.314 of 2018:

Muthiah @ Muthu Servai : Appellant/ Accused No.8
Vs.

1. State rep. By
The Deputy Superintendent of Police,
Manamadurai Sub Division,
In Pazhayanoor P.S. Crime No.32/2018,
Manamadurai Taluk,
Sivagangai District. : First Respondent/
Complainant



2.Maheswaran

: Second Respondent/
De facto complainant

PRAYER: Criminal Appeal is filed under Section 14 A(2) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, praying to call for the entire records relating to the order dated 02.07.2018 in Cr.M.P.No.1499 of 2018 on the file of the learned Sessions Judge, Special Court for Trial of Cases under SC-ST (POA) Act, 1989, Sivagangai and set aside the same as arbitrary and consequently to release the appellant on bail in connection with Crime No.32 of 2018 on the file of the first respondent police station.

For Appellant	: Mr.N.Anathapadmanaban for M/s.APN Law Associates
For Respondent No.1	: Mr.K.K.Ramakrishnan, Additional Public Prosecutor.
For Respondent No.2	: No appearance
For intervenor	: Mr.A.Gopal

Cr1.A(MD)No.324 of 2018:

Chellammal	: Appellant/Accused rank not known
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Vs.

1. State rep. By
The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

2. The Inspector of Police,
Pazhayanoor Police Station,
Sivagangai District.

: Respondents 1 and 2/
Complainant

3.Maheswaran

: Third Respondent/
De facto complainant

PRAYER: Criminal Appeal is filed under Section 14 A(2) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by Act 1 of 2016, praying to call for the records pertaining to the order dated 04.07.2018 made in Cr.M.P.No.1536 of 2018 on the file of Special Court for Exclusive Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai and to set aside the same and enlarge the appellant on bail in connection with Crime No.32 of 2018 on the file of the respondent police by allowing this criminal appeal.



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For Appellant : Mr.P.Senguttuarasan
For Respondents 1 and 2 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor.
For Respondent No.3 : No appearance
For Intervenor : Mr.A.Gopal

COMMON JUDGMENT

These Criminal Appeals are filed praying to set aside the orders dated 02.07.2018 and 04.07.2018 made in Cr.M.P.Nos.1500, 1499 and 1536 of 2018 on the file of the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, 1989, Sivagangai and consequently enlarge the appellants on bail in connection with Crime No.32 of 2018 on the file of the respondent police.

2.Heard the learned counsel for the appellants and the learned Additional Public Prosecutor for respondent police. Perused the appeals and the contentions raised by the counsel.

3.A communal clash due to first honouring in the temple, has ended in three murders and serious injuries to five persons.

4.The learned Additional Public Prosecutor submits that the investigation is almost completed and final report is likely to be filed. The atmosphere in the village is not conducive to entertain the bail petitions. As far as the merits of the bail petitions are concerned, though there are some points for consideration, taking note of the objections made by the learned Additional Public Prosecutor regarding the volatile situation prevailing in the village, this Court is not inclined to grant bail to the appellants, at present.

5.With the above observations, these Criminal Appeals are dismissed.

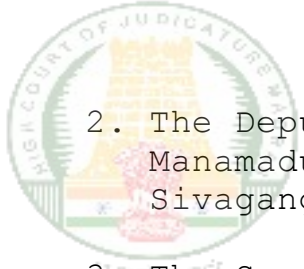
Sd/-
Assistant Registrar (writs)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Sessions Judge,
Special Court for Trial of Cases under SC-ST (POA) Act, 1989,



2. The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

3. The Superintendent ,
Special Prison for Women,
Madurai.

4. The Superintendent,
Central Prison, Madurai.

5. The Inspector of Police,
Pazhayanoor Police Station,
Sivagangai District.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Smn

MK/SKN/SAR 1/06.09.2018/4P/7C

COMMON JUDGMENT MADE IN
Cr1.A(MD)Nos.313, 314 and 324 of 2018
13.08.2018