



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.A(MD)No.323 of 2018 and
CRL.M.P.(MD)No.5755 of 2018

Ramu

... Appellant/Accused No.2

Vs.

The State of Tamil Nadu represented by,
The Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
(Crime No.150 of 2018)

... Respondent/Complainant

Prayer: Criminal Appeal is filed under Section 14 A (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, to grant bail by setting aside the impugned order passed by the learned Sessions Judge, Special Court for Exclusive Trial of cases under the Scheduled Castes and the Scheduled Tribes(Prevention of Atrocities) Act, 1989, Sivagangai, in Cr.M.P.No.1705 of 2018, dated 17.07.2018.

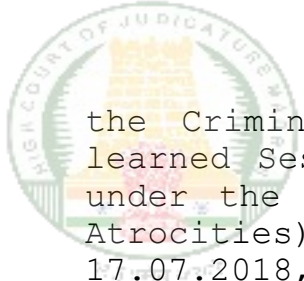
For Appellant :Mr.S.Muthukumar
For Respondent :Mr.M.Chandrasekaran,
Additional Public Prosecutor.

JUDGEMENT

The appellant is arrayed as Accused No.2. He was arrested and remanded to judicial custody on 10.07.2018 for the offences punishable under Sections 294(b), 427, 324, 506(ii) of I.P.C., and Section 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes(Prevention of Atrocities) Amendment Act, 2015 in Crime No.150 of 2018 on the file of the respondent police. He seeks bail by setting aside the impugned order passed by the learned Sessions Judge, Special Court for Exclusive Trial of cases under the Scheduled Castes and the Scheduled Tribes(Prevention of Atrocities) Act, 1989, Sivagangai, in Cr.M.P.No.1705 of 2018, dated 17.07.2018.

2. The learned Additional Public Prosecutor submits that the injured has been discharged from the hospital. He further submits that the petitioner is not having any previous case.

3. Taking note of the facts and circumstances of the case, this Court is inclined to allow the Criminal Appeal. Accordingly,



the Criminal Appeal stands allowed and the order passed by the learned Sessions Judge, Special Court for Exclusive Trial of cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai, in Cr.M.P.No.1705 of 2018 dated 17.07.2018, stands set aside. The appellant is ordered to be released on bail, subject to the following conditions;

[i] the appellant shall execute 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, Special Court for Exclusive Trial of cases under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, Sivagangai.

[ii] the appellant is directed to appear before the respondent police as and when required for interrogation.

[iii] On breach of any of the aforesaid conditions, the learned Sessions Judge/appellate 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 Sessions Judge/appellate Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

Consequently, connected Miscellaneous petition is closed.

Sd/

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar (CS-I)

To

1. The Sessions Judge,
Special Court for Exclusive Trial of cases under
the Scheduled Castes and the Scheduled Tribes
(Prevention of Atrocities) Act, 1989, Sivagangai.
2. The Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
3. The Superintendent,
Sub Jail, Sivagangai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.MUTHUKUMAR, Advocate, SR.No. 13786

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PMU