

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.A.No.274 of 2019

Purushothaman

.. Appellant

Vs

The State rep. by

Station House Officer,

Panruti Police Station,

Cuddalore District.

Cr.No.223 of 2019

... Respondent

Criminal Appeal filed under Section 14A (ii) of the SC/ST (Prevention of Atrocities) Act to set aside the order dated 09.05.2019 made in Crl.M.P.No. 2905 of 2019 on the file of the Vacation Sessions Judge/I Addl. Sessions Judge, Cuddalore and to enlarge the appellant on bail in connection with Cr.No.223 of 2019 on the file of the respondent by allowing this criminal appeal.

For Appellant : Mr.D.Lakshmipathy

For Respondent : Mrs.P.Kritika Kamal,
Govt. Advocate (Crl. Side)

J U D G M E N T

This Criminal Appeal has been preferred by the appellant to set aside the order dated 09.05.2019 passed by the Vacation Sessions Judge (I Additional Sessions Judge), Cuddalore in Crl.M.P.No.2905 of 2019 dismissing the bail petition filed by the appellant in Crime No.223 of 2019.

2.Though notice has been served on the de facto complainant, none appeared for him.

3.Taking into consideration the nature of the allegations in the FIR and the fact that the appellant has been in incarceration from 01.05.2019, the appellant is ordered to be released on bail on he executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the District Sessions Judge (Special Court for SC/ST Act cases), Cuddalore and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Sessions Judge may obtain a copy of their Aadhar card or Bank pass book to ensure their identity.

[b] the appellant shall sign before the District Sessions Judge (Special Court for SC/ST Act cases), Cuddalore at 10.30 a.m. for a period of two weeks and thereafter, the appellant shall appear before the respondent police as and when required.

[c] the appellant shall not tamper with evidence or witness either during investigation or trial.

[d] the appellant shall not abscond either during investigation or trial.

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

[f] If the appellant thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gya

To

- 1) The Vacation Sessions Judge/I Additional Sessions Judge, Cuddalore
- 2) The Superintendent of Police, Central Prison, Cuddalore
- 3) The Public Prosecutor, High Court, Madras-104.

+1 cc to Mr.D.Lakshmipathi, Advocate, S.R.No.44830

CRL.A.No.274 of 2019

GMR(CO)
SSM(04/06/2019)