



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.A.No.838 of 2019

Karthikeyan @ Karthi @ Royal Mani .. Appellant / Accused

Vs.

1. State rep. by

The Inspector of Police,
Pallipalayam Police Station,
Namakkal, Namakkal District.
(Crime No.656 of 2019)

.. 1st Respondent /
Complainant

2. Karthick

.. 2nd Respondent /
Defacto Complainant

* * *

Prayer: Criminal Appeal filed under Section 14-A of the Schedule Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015 praying to set aside the order passed in bail petition in Crl.M.P.No.126 of 2019 in Cr.No.656/2019 dated 25.11.2019 on the file of the Special Court for SC & ST (POA) Act Cases, Namakkal, and release the appellant on bail pending investigation of the said case.

* * *

For Appellant : Mr.S.Parameswaran

For Respondents: Mr.K.Prabhakar,
Additional Public Prosecutor for R1

J U D G M E N T

Challenging the order of rejection of bail petition, the appellant instituted this appeal.

2. According to the appellant, he was implicated in Crime No.656 of 2019 on the file of the first respondent police based on the alleged complaint given by the second respondent / defacto complainant for the offences under Sections 3(1)(s) and 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention



of Atrocities) Amendment Act, 1989 and Section 67 of Information Technology Act, 2000 and Section 506(i) of IPC. The F.I.R. in Cr.No.656/2019 is pending on the file of the Special Court for SC & ST (POA) Act Cases, Namakkal till date. In this connection, the appellant was arrested and remanded to judicial custody on 12.11.2019.

3. Heard the learned counsel for the appellant and the learned Additional Public Prosecutor.

4. Considering the facts and circumstances of the case and particularly the fact that the Charge Sheet is yet to be filed, this Court is inclined to set aside the impugned order and grant bail to the appellant. Accordingly, the appellant is directed to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum, out of which one should be a blood relative and another should be a Government Servant, to the satisfaction of the trial Court and on further condition that the appellant shall file an affidavit that he will not indulge in any such unlawful activities in future and also on condition that the appellant shall appear before the respondent police everyday at 10.30 a.m. in the morning and 5.00 p.m. in the evening without fail until further orders. If he fails to appear before the respondent police, it is for the respondent to secure his presence and send him to custody.

5. This appeal is allowed to the extent indicated above.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

tsi

To

1.The Judicial Magistrate,No.I, Tiruchengode.

2.The Superintendent,Central Prison,Salem

3.The Inspector of Police,
Pallipalayam Police Station,
Namakkal, Namakkal District.

4. The Public Prosecutor,
Madras High Court, Chennai-104.

+1cc to Mr.S.Parameswaran , Advocate SR.No. 103424

CrI.A.No.838 of 2019

A.SK(13/12/2019)