

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.A.No.312 of 2020

Prabhu @ Kundu

..Appellant/Accused

Vs.

State represented by
The Inspector of Police,
Padalur Police Station,
Perambalur District.

..Respondent/Complainant

Criminal Appeal filed under Section 14A (ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 (for brevity "the SC/ST Act") to set aside the order dated 02.07.2020 passed in E.Bail.No.270 of 2020 on the file of the Principal District and Sessions Court, Perambalur and to enlarge the appellant on bail in Crime.No.805 of 2020 on the file of the respondent.

For Appellant : Mr.A.Saranraj

For Respondent : Mr.K.Madhan
Govt. Advocate (Crl. Side)

JUDGMENT

This case is taken up through video conferencing.

2. This criminal appeal is filed to set aside the order dated 02.07.2020 passed in E.Bail.No.270 of 2020 on the file of the Principal District and Sessions Court, Perambalur and to enlarge the appellant on bail in Crime.No.805 of 2020 on the file of the respondent.

3. On the complaint lodged by Panjavaranam, the police registered a case in Crime No.805 of 2020 on 30.05.2020 for the offences under Sections 294(b), 307 and 506(II) IPC @ 294(b), 506(II) and 302 IPC @ 294(b), 506(II) and 302 IPC r/w Sections 3 (1)(r) and 3(1)(s) of the SC/ST Act, against the appellant and three others.

4. It is the case of the prosecution that the deceased was supplying milk to the appellant, for which, the appellant did not make payments; when the deceased started demanding his dues, the appellant is said to have taken the deceased from his house on 29.05.2020 and thereafter, the body of the deceased was found near the fields of the appellant. It is seen that the attack by the appellant and three others was witnessed by the wife of the deceased.

5. Heard Mr.A.Saranraj, learned counsel for the appellant and Mr.K.Madhan, learned Government Advocate (Crl.Side) for the respondent/State.

6. Mr.Saranraj, learned counsel for the appellant submitted that the appellant was arrested on 31.05.2020 and he has been in incarceration since then.

7. Be that as it may, taking into consideration the serious nature of allegations in the FIR, this is not a fit case to grant bail.

In the result, this criminal appeal is dismissed. However, liberty is given to the appellant to move the trial Court, since it is represented that charge sheet has been filed before the trial Court, but the same has not been taken on file.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Principal District and Sessions Judge,
Perambalur.
2. The Inspector of Police,
Padalur Police Station,
Perambalur District.
3. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

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PP(CO)
RV (16/09/2020)