

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.A.No.836 of 2019

Gopi

.. Appellant/A4

Vs.

1.State rep. by:

The Inspector of Police,
Veeranam Police Station,
Salem District.
(Crime No.410 of 2019).

2.Srikanth

... Respondents/Complainant &
Defacto Complainant

Appeal filed under Section 14-A of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 r/w Section 374(3) of Cr.PC, to set aside the order passed in the bail petition in C.M.P.No.3831 of 2019 dated 28.11.2019 on the file of the Principal Sessions Judge, Salem and enlarge the appellant on bail in Crime No.410 of 2019 on the file of the respondent police.

For Appellant : Mr.W.Camyles Gandhi

For Respondents: Mr.K.Prabhakar,

Addl. Public Prosecutor for R1

JUDGMENT

Challenging the order of rejection of bail petition, the appellant is before this Court in this appeal.

2.According to the appellant, he was falsely implicated in Crime No.410 of 2019 on the file of the first respondent police for the offences under Sections 147, 148, 294(b), 323, 324, 506 (ii) of IPC r/w Section 3(1)(r) & 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015 and he is innocent.

3.The learned counsel for the appellant has submitted that the appellant was arrested and remanded to judicial custody on 18.11.2019, by falsely implicating him. It is also submitted that the appellant is a respectable person in his locality and the sole breadwinner and caretaker of his family. Stating so, the learned counsel prayed for granting the relief as prayed for in this appeal.

4.Heard the learned Additional Public Prosecutor on the above submissions.

5.Considering the facts and circumstances of the case, 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 the following conditions:

- a) The appellant is directed to execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) along with two sureties, of whom one should be a blood relative, for a like sum to the satisfaction of the Judicial Magistrate-IV, Salem;
- b) The appellant and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Judicial Magistrate-IV, Salem, may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.
- c) The appellant shall sign before the first respondent Police Station, twice daily at 10.30 a.m. and 05.00 p.m., until further orders.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

KM

To

1.The Principal Sessions Judge, Salem

2.The Judicial Magistrate-IV,Salem.

3.The Inspector of Police,

Veeranam Police Station,Salem District.

4.The Public Prosecutor,Madras High Court.

+lcc to Mr.W.Camyles gandhi , Advocate SR.No. 8672

CrI.A.No.836 of 2019

A.SK(05/02/2020)