





file of the learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST (POA) Act, 1989, Ramanathapuram, dated 23.01.2020.

3.The Appellants, who are arrested and remanded to judicial custody on 18.01.2020, for the offences punishable under Sections 147, 341, 294(b), 323, 322 and 506(i) of IPC and 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities Act) 2015, on the file of the respondent police, seeks appeal bail.

4.The learned counsel appearing for the appellants would submit that the appellants have been falsely implicated in this case and the same has not been considered properly and the appellants are in custody from 18.01.2020 onwards.

5.The learned Government Advocate (Crl.side) appearing for the respondent police, on instructions, would submit that the appellants herein are arrayed Accused Nos.1 and 2. He would further submit that if the appellants/Accused Nos.1 and 2 are released on bail, they will tamper with the prosecution witnesses and hamper the investigation and therefore, he objected to grant bail to the appellants.

6.Considering the above facts and circumstances of the case, this Court is inclined to allow the Criminal Appeal by setting aside the order, dated 23.01.2020 made in Crl.M.P.No.78 of 2020 on the file of the learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST (POA) Act, 1989, Ramanathapuram.

7.Accordingly, the Criminal Appeal is allowed and the order, dated 23.01.2020 made in Crl.M.P.No.78 of 2020 on the file of the learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST (POA) Act, 1989, Ramanathapuram, is set aside. The appellants are ordered to be released on bail on them executing a bond for a sum of Rs.10,000/- each (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of Cases registered under SC/ST (POA) Act, 1989, Ramanathapuram, and on further condition that:

**[a]** the appellants shall appear before the concerned court, daily twice i.e. at 10:30 a.m., in the morning and 05:30 p.m., in the evening until further orders;

**[b]** the appellants shall not tamper with evidence or witness either during investigation or trial;

**[c]** the appellants shall not abscond either during investigation or trial;

**[d]** On breach of any of the aforesaid conditions, the Trial Court is entitled to take appropriate action against the appellant in accordance with law, as if the conditions have been imposed and the appellants released on bail by the Trial Court itself as laid



down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala**  
[ (2005)AIR SCW 5560 ].

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Sd/-

Assistant Registrar (AD II)

/ /2020

Sub Assistant Registrar(CS)

vsd

To

1.The Sessions Judge,  
Special Court for Trial of cases Registered under  
SC/ST (POA)Act 1989, Ramanathapuram.

2.The District Jail, Ramnad.

3.The Deputy Superintendent of Police,  
Thiruvadanai Division,  
Ramnad District.

4.The Inspector of Police,  
Thiruvadanai Police Station,  
Ramnad District.

5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.D.VENKATESH, Advocate ( SR-4810[F] dated 05/02/2020 )

vsd

Crl.A(MD)No.47 of 2020

05.02.2020

KK/SAR/05.02.2020/3P-7C/