



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 20.02.2020

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Cr1.A(MD)No.53 of 2020

WEB COPY

R.Arumugam

: Appellant/Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thirupparamkundram,
Madurai.

2.The State of Tamil Nadu
represented by the Inspector of Police,
Austinpatti Police Station,
Madurai, Madurai District.
(Cr.No.304 of 2019) : R1 and R2/Complainant

3.Vadivel : R3/De-facto Complainant

Prayer: Criminal Appeal filed under section 14A(2) of Scheduled Caste/schedule Tribes (Prevention of Atrocities) Amendment Act, 2015, against the order of the Sessions Judge, Mahalir Neethimandram, Madurai, dated 28.01.2020 passed in Cr.M.P.No.7 of 2020.

For Appellant : Mr.N.Dilip Kumar

For R1 and R2 : Mr.V.Neelakandan
Additional Public Prosecutor

For 3rd Respondent : M/s.M.Maria Vinola

O R D E R

This criminal appeal is directed against the order of the Sessions Judge, Mahalir Neethimandram, Madurai, dated 28.01.2020 passed in Cr.M.P.No.7 of 2020.

2.The case of the prosecution is that the on 1.12.2019 at 8 am, the minor victim aged about 17 years went to her college, did not return home and was missing and that the accused with sweet coated words had kidnapped her and had forcibly had sexual assault.

3.The learned counsel appearing for the appellant/accused submitted that the appellant is an innocent person and he has been falsely implicated in this case and he has nothing to do with the alleged occurrence and that the appellant is in jail from 19.12.2019 and prays for allowing the criminal appeal.



4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that now the investigation is almost completed and if the appellant is released on bail, he will tamper the witnesses and prays for dismissal of the criminal appeal.

5.Heard the learned counsel appearing for the for the 3rd respondent and she has strongly opposed to allow the criminal appeal by contending that now the victim girl become pregnant.

6.However, considering the facts and circumstances of the case and also considering the fact that the the appellant is in jail since 19.12.2019, this Court is inclined to allow the Criminal Appeal by setting aside the order passed in Crl.MP No.7 of 2020, dated 28.01.2020 by the Sessions Judge, Mahaliar Neethimandram, Madurai

7.Accordingly, this Criminal Appeal is **allowed** and the order passed in Crl.MP No.7 of 2020, dated 28.01.2020 by the Sessions Judge, Mahaliar Neethimandram, is set aside. The appellant is ordered 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 to the satisfaction of the learned Sessions Judge, Mahalir Neethimandram, Madurai and on further condition that the **appellant shall appear before the respondent police daily at 10.30 am and 05.00 pm until further orders.**

Sd/
Assistant Registrar

/True copy/

/02/2020
Sub Assistant Registrar

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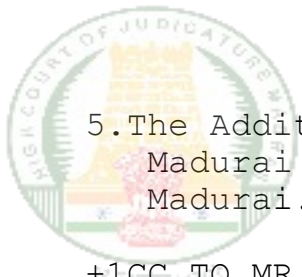
To,

1.The Sessions Judge,
Mahalir Neethimandram,
Madurai.

2.The Deputy Superintendent of Police,
Thirupparamkundram,
Madurai.

3.The Inspector of Police,
Austinpatti Police Station,
Madurai, Madurai District.

4.The Superintendent,
<https://hcservices.ecourts.gov.in/hcservices/>
Central Prison, Madurai.



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

+1CC TO MR.N.DILIP KUMAR, ADVOCATE, SR NO.7340

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