



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 15/04/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL A(MD). No.92 of 2020

K.Valli ... Appellant/Petitioner/Accused No.3

Vs

1. The Deputy Superintendent Of Police,  
Thiruvadanai, Ramanathapuram District.

2. The Inspector of Police,  
R.S.Mangalam Police Station,  
Ramanathapuram District,  
Cr No.31/2020.

... Respondent No.1 to 2 /  
Respondents No.1 to 3 / Complainant

3. Santhi,  
W/o.Karuppaiah, Enthakarai Colony,  
Rathanaoor, R.S.Mangalam Taluk,  
Ramanathapuram District.

... Respondents/Respondent/  
Defacto Complainants

For Appellant : M/s.C.Muthusaravanan,  
Advocate.

For R1 & R2 : Mr.S.Chandrasekar,  
Additional Public Prosecutor

For R3 : Mr.A.Arputharaj

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

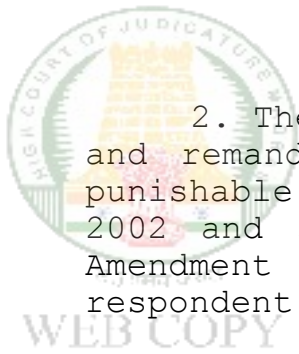
PRAYER :-

Bail petition filed U/s. 14 A(2) of Scheduled Castes and  
Scheduled Tribes (POA) Act, 1989 and Section 1 of Amended Act, 2016.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the appellant and the  
learned counsel appearing for the respondent Advocate(Crl. Side) appearing for the respondent.

<https://hccs.cerpts.gov.in/csr/jcs/>



2. The appellant is arrayed as accused No.3. She was arrested and remanded to Judicial Custody on 11.02.2020 for the offences punishable under sections 294(b), 323,302 IPC and 4 of TNPWH act 2002 and 3(1)(r), 3(1)(s), 3(2)(V), 3(2)(va) of SC/ST (POA) Amendment Act 2015 in Crime No.31 of 2020 on the file of the respondent police. She seeks bail.

3. After notice, the learned Additional Public Prosecutor has filed counter whereas the defacto complainant, who entered appearance through counsel, has not filed any counter.

4. It is the case where, due to quarrel between the neighboring land owners, the husband of the defacto complainant was attacked by the son of the petitioner and he died. Since the deceased belong to SC community, offence under SC/ST Act has also been added.

5. On reading the First Information Report, this Court finds that there is no serious overt act against this appellant. Hence this Court is inclined to grant bail to the appellant. Accordingly, the appellant is ordered to be released on bail on her executing own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the Superintendent, Central Prison for Women, Madurai and on further condition that,

[a] the appellant shall report before the respondent police for interrogation, as and when required.

[b] the appellant shall not tamper with evidence or witness either during investigation or trial.

[c] the appellant shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
15/04/2020

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/ /2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



TO

1. The Superintendent, Central Prison for Women,  
Madurai.
2. The Special Court for Trial Cases,  
Registered Under SC/ST (POA) Act, Ramanathapuram
3. The Deputy Superintendent Of,  
Police, Thiruvadanai, Ramanathapuram District.
4. The Inspector of Police,  
R.S.Mangalam Police Station,  
Ramanathapuram District.
5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER  
IN  
CRL A(MD) No.92 of 2020  
Date : 15/04/2020

SDS/SAR-2 (15.04.2020) 3P-6C