



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:11.05.2020

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Cr1.A(MD)No.137 of 2020

G.Kannan : Appellant/Sole Accused

Vs.

1.State through
The Inspector of Police,
Sathirakudi Police Station,
Ramanathapuram District.
(Crime No.25 of 2020) : R1/Complainant

2.V.Muniasamy : R2/De-facto complainant

Prayer: Criminal Appeal filed under section 14-A(2) of SC/ST (POA) Act, 1989 as amended by Act 1 of 2016 against the order of the learned Sessions Judge, Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Ramanathapuram, dated 09.03.2020 made in Cr1.MP No.304 of 2020.

For Appellant : Mr.K.Kumaravel

For 1st Respondent : Mr.V.Neelakandan
Additional Public Prosecutor

For 2nd Respondent : No appearance

O R D E R

This criminal appeal is directed against the order of the learned Sessions Judge, Special Court for Exclusive Trial of cases under SC/ST (POA) Act, 1989, Ramanathapuram, dated 09.03.2020 made in Cr1.MP No.304 of 2020.

2.The case of the prosecution is that there was a wordy quarrel arose between the accused and the de-facto complainant with regard to driving of two wheeler and due to it, the accused attacked the de-facto complainant and also threatened him with dire consequence.



3.The learned counsel appearing for the appellant 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 03.03.2020 and he is only the bread-winner of the family.

4.The learned Additional Public Prosecutor appearing for the 1st respondent submitted that the case is under investigation and if the appellant is released on bail, he will tamper the witnesses and prays for dismissal of the criminal appeal.

5.Considering the facts and circumstances of the case and also considering the fact that the the appellant is in jail since 03.03.2020 and he is only bread-winner of the family, this Court is inclined to allow the Criminal Appeal by setting aside the order passed in Crl.MP No.304 of 2020, dated 09.03.2020 by the Sessions Judge, Special Court for exclusive trial of cases under SC/ST (POA) Act 1989, Ramanathapuram.

6.Accordingly, this Criminal Appeal is **allowed** and the order passed in Crl.MP No.304 of 2020, dated 09.03.2020 by the Sessions Judge, Special Court for exclusive trial of cases under SC/ST (POA) Act 1989, Ramanathapuram, 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 and on further condition that the **appellant shall report before the 1st respondent police daily at 10.30 am and 05.00 pm until further orders.**

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To,

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

2.The Inspector of Police,
Sathirakudi Police Station,
Ramanathapuram District.

<https://hcservices.sarnam.gov.in/services>



3.The Superintendent,
District Jail, Ramanathapuram.

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

COPY TO
The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

Cr1.A(MD)No.137 of 2020
11.05.2020

AL(CO)
TR(15.05.2020) 3P 7C