

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.No.20738 of 2020

1.K.C.Prabhu ... Petitioner/Accused 1 to 3
2.Ravi @ Ravindran
3.S.Boopalakrishnan

-Vs-

State Rep. By ... Respondent/Complainant
The Inspector of Police,
Sathyamangalam Police Station,
Erode District.
(Crime No.Not known of 2020)

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioners on bail in the event of their arrest in Crime No.Not known of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Balaguruswamy
For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

(This case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 506 (ii) of IPC, in Crime No.not known of 2020, on the file of the respondent police, seek anticipatory bail.

2.The petitioners are the accused 1 to 3. The case of the prosecution is that the defacto complainant belonging to Scheduled Caste and the petitioners have intimidated the defacto complainant regarding property dispute and scolded her by referring her Caste in filthy language.

3.The learned counsel appearing for the petitioners would submit that the petitioners are nothing to do with the offence as

alleged by the prosecution and the defacto complainant is a real estate broker and she demanded commission even without any sale transaction done through her and she provoked the petitioners.

4.The learned Public Prosecutor would submit that the petitioners were indulged in intimidating the defacto complainant who belongs to the Scheduled Caste. Therefore, the crime has been registered against the petitioners under the provisions of Scheduled Castes and Scheduled Tribes Act.

5.Considering the nature of offences alleged against the petitioners and also considering the fact that anticipatory bail cannot be granted in respect of offences punishable under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, this Court feels it appropriate to direct the petitioners to surrender before the learned III Additional Sessions Judge cum Special Judge for Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Madurai, within a period of two weeks from the date of receipt of a copy of this order and file a bail application and on filing such bail application, the learned Judge is directed to consider the bail application of the petitioners on merits and pass appropriate orders on the same day of their surrender. The petitioners are directed to comply with the provision under Section 15(A) (5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

6.Accordingly, the Criminal Original Petition is disposed of.

-sd/-

08/01/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सतयमेव जयते
Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

WEB COPY

TO

1 THE III ADDITIONAL SESSIONS JUDGE CUM
SPECIAL JUDGE FOR SCHEDULED CASTS AND
SCHEDULED TRIBES (PREVENTION OF ATROCITIES)
ACT, 1989, MADURAI.

2 THE JUDICIAL MAGISTRATE,
ERODE.

3 THE CHIEF JUDICIAL MAGISTRATE
ERODE. [FOR INFORMATION]

<https://hcservices.ecourts.gov.in/hcservices/>

4 THE INSPECTOR OF POLICE,
SATHYAMANGALAM POLICE STATION,
ERODE DISTRICT.

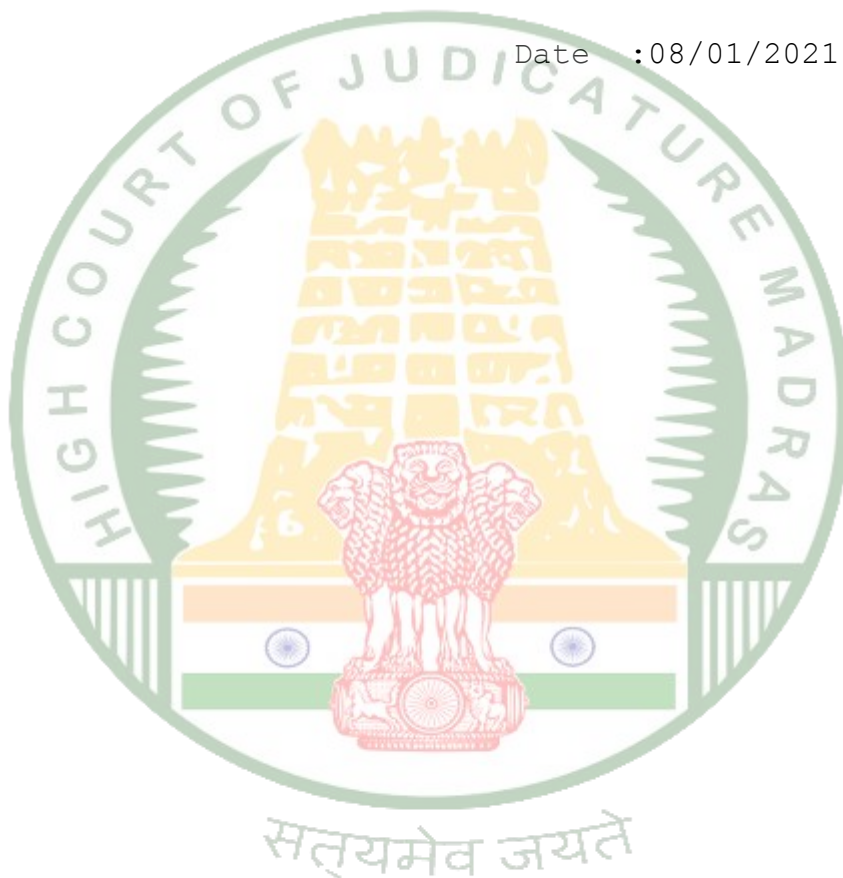
5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.BALAGURU SWAMY Advocate on payment of necessary
charges

CRL OP.20738/2020

Date :08/01/2021

TA-02/02/2021



WEB COPY