



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATE : 29.03.2021  
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**THE HONOURABLE MRS. JUSTICE R. THARANI**  
Crl.A.(MD)No.157 of 2021

Ragurajan .. Appellant /Sole Accused

Vs.

State through,  
1.The Deputy Superintendent of Police,  
Aranthangi,  
Pudukkottai District.

2.The Inspector of Police,  
Aranthangi Police Station,  
Pudukkottai District.  
In Crime No.144 of 2021.

3.M.Samikannu,  
Sub Inspector of Police,  
Aranthangi Police Station,  
Pudukkottai District.

.. Respondents

**Prayer** : This Criminal Appeal filed under Section 14A(2) of Scheduled Castes/Scheduled Tribes Act, 1989 as amended by Act 1 of 2016, to call for the records relating to the order in Cr.M.P.No.327 of 2021 dated 19.03.2021 on the file of the Special Sessions Judge (FAC), Special Court for Trial of SC/ST(POA) Act Cases, Pudukkottai and to set aside the same and grant bail to the appellant.

For Appellant : Mr.K.Sathish kumar

For Respondents 1 and 2 : Mrs.S.Bharathi

Government Advocate

### **JUDGMENT**

This appeal has been filed to set aside the order passed in Cr.M.P.No.327 of 2021 dated 19.03.2021, on the file of the learned Special Sessions Judge (FAC), Special Court for Trial of SC/ST (POA) Act Cases, Pudukkottai and to enlarge the appellant on bail.

2.The case against the appellant is that the appellant made a speech in a public meeting abusing the schedule caste and he threatened the schedule caste people. Hence, a case was registered against the appellant in Crime No.144 of 2021 under Sections 143, 283, 269, 270 and 506(i) of IPC and Sections 3(1)(r), 3(1)(s), 3(1)(u) and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The appellant filed a bail petition in Crl.M.P.No.327 of 2021 before the learned Special Sessions Judge



(FAC), Special Court for Trial of SC/ST (POA) Act Cases, Pudukkottai. The petition was dismissed by the learned Judge on 19.03.2021. Against the same, the appellant has preferred the present appeal.

3. On the side of the appellant, it is stated that the third respondent is not a victim in the case. The third respondent is only the Sub Inspector of Police. The third respondent does not belong to scheduled community and prayed the appellant to be released on bail.

4. On the side of the respondents 1 and 2, it is stated that in a public meeting, the appellant has used abusive language using the caste name in the public place against the schedule caste people and he threatened the scheduled community people with a motive to create law and order problem. If the appellant is released on bail, there is possibility of law and order problem and prayed the appeal to be dismissed.

5. The allegation against the appellant is that the appellant has used obscene words abusing schedule caste community in a public meeting and it was heard by the third respondent and that to maintain law and order, the third respondent has filed a complaint in Crime No.144 of 2021.

6. It is seen that the third respondent is not a victim. The appellant has surrendered before the Special Court on 19.03.2021 and is in custody. Hence, this Court is inclined to release the appellant on bail on the following conditions:

- (i) the appellant shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Special Sessions Judge (FAC), Special Court for Trial of SC/ST (POA) Act Cases, Pudukkottai.
- (ii) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Special Sessions Judge (FAC), Special Court for Trial of SC/ST (POA) Act Cases, Pudukkottai, may obtain a copy of any valid identity proof to ensure their identity.
- (iii) On release, the appellant shall appear before the aforesaid Court daily at 10:30 a.m, until further orders.
- (iv) the appellant shall not tamper with evidence or witness either during investigation or trial.
- (v) the appellant shall cooperate with the investigation and the appellant shall appear



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before the second respondent and Court both during investigation and trial, as and when required.

- (vi) 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]**.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Mrn

Note : In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Special Sessions Judge(FAC),  
Special Court for Trial of SC/ST (POA) Act Cases,  
Pudukkottai.
  - 2.The Deputy Superintendent of Police,  
Aranthangi,  
Pudukkottai District.
  - 3.The Inspector of Police,  
Aranthangi Police Station,  
Pudukkottai District.
  - 4.The Central Prison,  
Madurai.
  - 5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.K.SATHISH KUMAR, Advocate ( SR-14276[F] dated 29/03/2021 )

Crl.A.(MD)No.157 of 2021

29.03.2021

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